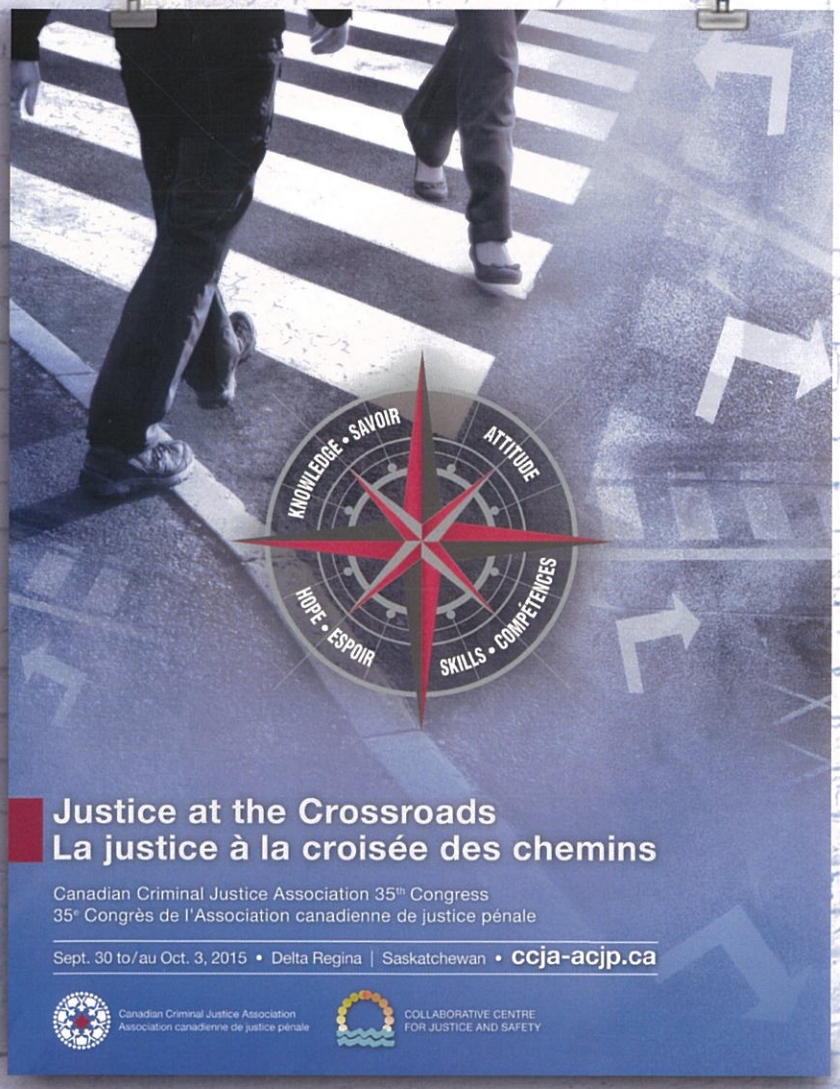
JUSTICE

ACTUALITÉS REPORT

Volume 29 No. / N° 4
FALL •• AUTOMNE 2014


KNOWLEDGE • SAVOIR
ATTITUDE
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SKILLS • COMPÉTENCES
Justice at the Crossroads
La justice à la croisée des chemins
Canadian Criminal Justice Association 35th Congress
35e Congrès de l'Association canadienne de justice pénale
Sept. 30 to/au Oct. 3, 2015 • Delta Regina | Saskatchewan • ccja-acjp.ca
Canadian Criminal Justice Association
Association canadienne de justice pénale
COLLABORATIVE CENTRE
FOR JUSTICE AND SAFETY

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CONGRESS • CONGRÈS
2015
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APPEL DE COMMUNICATIONS

AND / ET

POLICING
TECHNOLOGY
CYBERCRIME
TÉLÉPHONE
AU VOLANT

CANADIAN CRIMINAL JUSTICE ASSOCIATION •• ASSOCIATION CANADIENNE DE JUSTICE PÉNALE

JUSTICE ACTUALITÉS REPORT

Volume 29 No. / N° 4

The **JUSTICE REPORT** contains information of value to Association readers and the public interested in matters related to the administration of justice in Canada. Opinions expressed in this publication do not necessarily reflect the Association's views, but are included to encourage reflection and action on the criminal justice system throughout Canada. For more information on the activities of the CCJA, please contact: •• L'**ACTUALITÉS-JUSTICE** renferme des renseignements utiles aux lecteurs de l'Association et au public qui s'intéressent aux questions relatives à l'administration de la justice au Canada. Les opinions qui sont exprimées ne reflètent pas nécessairement les vues de l'Association, mais y figurent afin d'encourager à réfléchir et à agir sur la justice pénale dans tout le Canada. Pour obtenir de plus amples renseignements sur les activités de l'Association, veuillez communiquer avec :

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ISSN: 0823-9436

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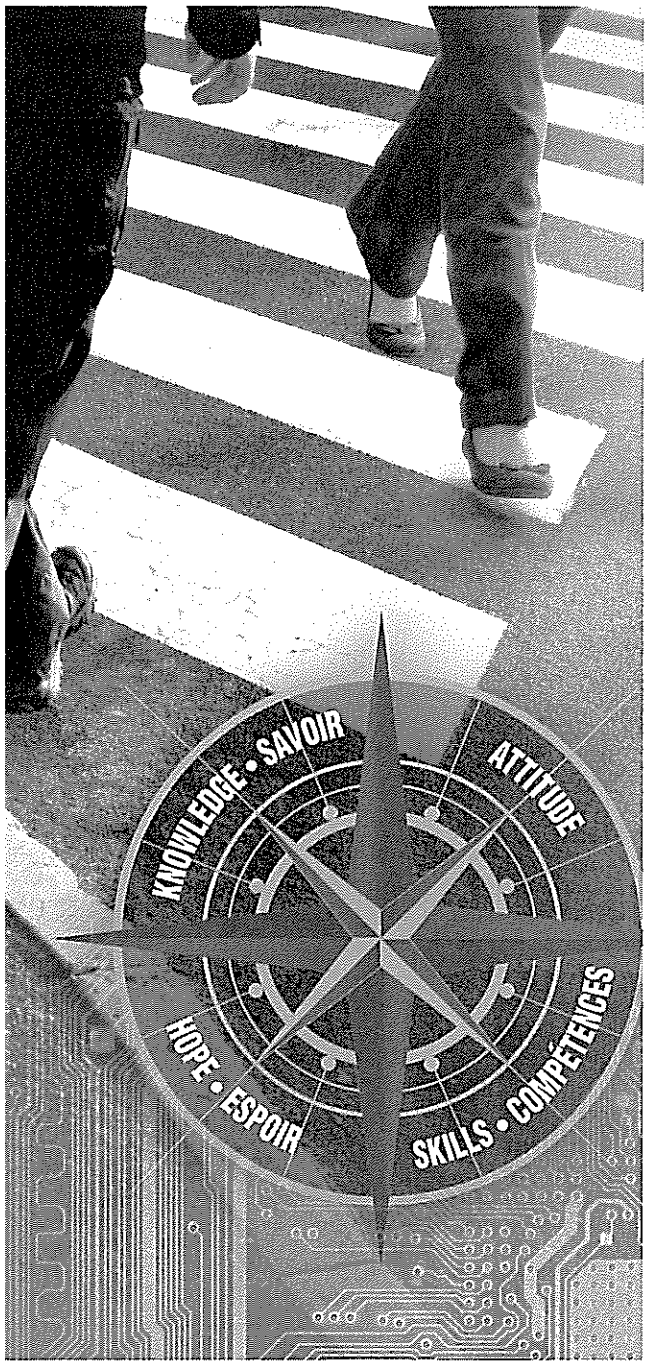

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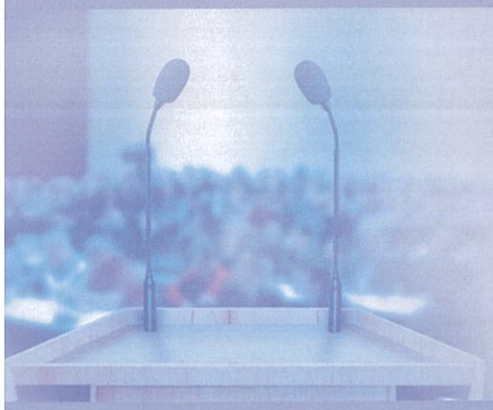


CALL FOR PAPERS
APPEL DE COMMUNICATIONS

35TH CANADIAN CONGRESS ON CRIMINAL JUSTICE
35E CONGRÈS CANADIEN DE JUSTICE PÉNALE

We welcome submissions from academics, programs, community-based organizations, government initiatives, and professionals!

Nous acceptons les propositions soumises par des universitaires, des responsables de programmes, des organismes communautaires, des organismes gouvernementaux et des professionnels!

CALL FOR PAPERS
APPEL DE COMMUNICATIONS
DEADLINE / DATE DE TOMBÉE
MARCH 1 MARS 2015

You are cordially invited to submit an abstract for a workshop at the 2015 Congress under the theme:

Vous êtes cordialement invités à proposer un résumé en vue de la présentation d'un exposé au Congrès 2015 qui se déroulera sous le thème :

Justice at the Crossroads
La justice à la croisée des chemins

This event is being organized by the Canadian Criminal Justice Association and the Collaborative Centre for Justice and Safety and will be held from September 30, 2015 to October 3, 2015 at the Delta Regina, Saskatchewan.

We are interested in compelling, innovative workshops. Presenters will have up to 90 minutes for each workshop session, including time for questions and discussions.

If you are interested in giving a presentation or entire workshop, please review the following information, fill out and return an application form.

Cet événement organisé par l'Association canadienne de justice pénale et le *Collaborative Centre for Justice and Safety* de la Saskatchewan se tiendra du 30 septembre au 3 octobre 2015 au Delta Regina (Saskatchewan).

Nous sommes à la recherche de présentations engageantes et novatrices. Chaque atelier sera d'une durée de 90 minutes incluant une période de questions.

Si vous aimeriez faire une présentation, nous vous prions de prendre connaissance des renseignements qui suivent, de remplir un formulaire et nous le retourner.

Canadian Criminal Justice Association
Association canadienne de justice pénale

COLLABORATIVE CENTRE
FOR JUSTICE AND SAFETY

Sub-themes and possible topics of presentation include:
Sous-thèmes et sujets d'exposés possibles :

VIOLENCE – TRAUMA – RECOVERY | VIOLENCE – TRAUMATISME – GUÉRISON

The justice system is increasingly concerned with addressing the causes and consequences of violence. The trauma among Aboriginal families and communities related to missing and murdered Aboriginal women; the trauma experienced by front line professionals (police, fire fighters, soldiers, community-based workers); the victimization of those who experience spousal violence, sexual assault, and other kinds of abuse and violent crime – these kinds of issues demand a national solution. Will this phenomenon continue? How should the justice system respond? Topics could include:

Se pencher sur les causes et les conséquences de la violence est une préoccupation grandissante du système judiciaire. Les traumatismes subis par les familles et les communautés autochtones par suite des disparitions et des meurtres de femmes autochtones, les expériences traumatisantes des professionnels de première ligne (policiers, pompiers, vétérans, intervenants), la victimisation des femmes qui subissent de la violence conjugale, des agressions sexuelles et d'autres formes d'abus et de crimes violents — ces types de problèmes exigent une solution nationale. Ce phénomène va-t-il se poursuivre? Comment le système judiciaire doit-il réagir? Voici des sujets qui pourraient être abordés :

- **Violence: how it affects victims, families, communities and professionals**
  La violence : ses répercussions sur les victimes, les communautés et les professionnels
- **Trauma: what we know about the impact of violence and trauma**
  Traumatisme : ce que nous savons des impacts de la violence et du traumatisme
- **Recovery: how should we respond?** | Guérison : comment faut-il réagir ?
- **Violence as a public health issue** | La violence : une problématique d'ordre de santé publique

TECHNOLOGY'S IMPACT | IMPACT DES TECHNOLOGIES

New technologies are increasingly affecting the kinds of crime and social issues facing communities, while the justice system and other sectors are being challenged to respond to rapid developments that often have unforeseen consequences. At the same time, technology offers new potential to detect, investigate and respond to crime and social issues, and to circulate information quickly. Potential topics include:

Les nouvelles technologies ont un impact grandissant sur les types de crimes et les problèmes sociaux auxquels font face nos communautés tandis que le système pénal et autres secteurs ont le défi de présenter des réponses à ces développements effrénés lesquels entraînent souvent des conséquences imprévues. Parallèlement, les nouvelles technologies offrent le potentiel de déceler, enquêter et répondre au crime et aux problèmes sociaux, et de circuler les renseignements de façon rapide. Voici des sujets qui pourraient être abordés :

- **Is technology changing our human relationships?** | La technologie transforme-t-elle les relations humaines ?
- **The impact and use of social media in crimes, emergencies and natural disasters**
  L'impact et l'utilisation des médias sociaux sur le crime, les urgences, et les catastrophes naturelles
- **Cyberbullying** | La cyberintimidation
- **Cyber extortion** | La cyberextorsion
- **Gangs and organized crime** | Les gangs et la technologie
- **Identity theft** | Le vol d'identité
- **Privacy, confidentiality and access to information** | La vie privée, la confidentialité et l'accès à l'information
- **Surveillance by law enforcement agencies** | La surveillance par les autorités policières
- **"Big data": its benefits and possible abuses; inter-organizational sharing of information; and the demands for open and transparent government**
  Les mégadonnées : avantages et abus éventuels, échange d'information entre organisations, les revendications pour un gouvernement ouvert et transparent

COMMUNITY WELLNESS AND CHANGE | MIEUX-ÊTRE DES COLLECTIVITÉS ET CHANGEMENT

It is increasingly recognized that the issues facing communities and the justice system are complex, and inter-related, with social, economic, historic, environmental and justice dimensions. What kinds of approaches and responses could strengthen communities and address the challenges facing the justice system? Topics could include:

Les problématiques auxquelles font face les communautés et le système judiciaire sont de plus en plus complexes, inter-reliés, comprenant des dimensions sociales, économiques, environnementales et juridiques. Quels types d'approches et de réponses seraient prometteuses en termes de consolidation des communautés et en termes de défis pour le système judiciaire? Voici des sujets qui pourraient être abordés:

- **Building partnerships between different groups and sectors**
  Bâtir des partenariats entre divers groupes et secteurs
- **Engaging communities and citizen/community leadership in addressing justice issues**
  Favoriser l'engagement des communautés et des citoyens ou d'un leadership communautaire pour répondre aux problématiques en matière de justice
- **Restorative justice, social justice, environmental justice, and other alternative justice approaches**
  La justice réparatrice, la justice sociale, la justice environnementale, et d'autres approches alternatives
- **Strategies that balance prevention, intervention and enforcement**
  Rééquilibrer les stratégies: prévention – intervention – répression
- **Public education on crime and justice issues**
  L'éducation du public sur le crime et les problématiques en matière de justice
- **Topics related to justice, social and economic issues affecting youth, women, Aboriginal people, immigrants, people with disabilities and other groups**
  Des sujets reliés à la justice, et les problématiques sociales et économiques qui affectent les jeunes, les femmes, les autochtones, les immigrants, les personnes handicapées et d'autres groupes

THE PROMISE AHEAD | CE QUE NOUS RÉSERVE L'AVENIR

With justice at the crossroads, how can we move ahead to address the challenges facing communities, society and the justice system? How can we build knowledge, attitudes, skills, and hope among citizens and professionals, while engaging communities and various sectors to implement positive change? Topics could include:

Avec la justice à la croisée des chemins, comment pouvons-nous avancer pour répondre aux défis auxquels font face les communautés, la société et le système judiciaire? Comment pouvons-nous bâtir les connaissances, les attitudes, les compétences et l'espoir parmi les citoyens et les professionnels, tout en mobilisant les communautés et les secteurs divers pour établir des changements positifs? Voici des sujets qui pourraient être abordés:

- **What is the future of the justice system? What trends, issues and approaches will shape the coming decade?**
  Quel avenir est réservé pour le système judiciaire? Quelles tendances, problématiques et approches détermineront la prochaine décennie?
- **Innovative, collaborative approaches, including specialized courts and alternatives to incarceration**
  Les initiatives novatrices et collaboratives incluant les tribunaux spécialisés et les mesures de rechange à l'incarcération
- **Aboriginal peoples: an independent justice system?**
  Les peuples autochtones: un système judiciaire autonome?
- **Unique, responsive approaches to the challenges facing youth, women, Aboriginal people, newcomers/immigrants and other groups**
  Les jeunes, les femmes, les immigrants, et autres groupes: des approches particulières et adaptées
- **A national centre for trauma and national strategy to address crime: are these the answer?**
  Un centre national de traumatologie et une stratégie nationale de prévention du crime: des réponses possibles?

- **Access to justice, including restorative justice; dispute resolution; early case intervention; accessible, available and affordable legal services; and other approaches**
  L'accès à la justice, incluant la justice réparatrice ; la résolution de conflits ; l'intervention précoce des cas ; la prestation de services juridiques accessibles, disponibles et abordables ; d'autres approches
- **Cost-benefit and social impact analysis of various approaches**
  L'analyse des coûts et bénéfices, et les répercussions des différentes mesures
- **Other research and evidenced-based approaches**
  D'autres approches basées sur la recherche et sur les données factuelles

WORKSHOP FORMAT | FORMAT DES PRÉSENTATIONS

• LANGUAGE OF WORKSHOP // LANGUE DES PRÉSENTATIONS

Workshops can occur in English, French, or both. Simultaneous translation will be available for certain workshops.

Les présentations peuvent se faire en anglais, en français, ou être bilingues. L'interprétation simultanée de certaines séances sera offerte.

• FORMAT

We are interested in a range of formats and delivery methods, including circles, group discussions and other interactive exercises, short skills-based sessions, panels, lectures and presentation of research findings, films and documentaries, and others. We strongly encourage collaborative, interactive delivery methods involving multiple organizations and individuals when appropriate.

Nous encourageons un éventail de formats et de méthodes de prestation. Ceux-ci peuvent inclure des cercles, des discussions de groupes et autres exercices interactifs, des exposés pédagogiques basés sur l'acquisition de compétences, des tables rondes, des présentations de résultats de recherche, des documentaires et films, et autres formats. Nous encourageons fortement des présentations en collaboration, ou des présentations interactives impliquant la participation de multiples organismes et individus lorsque le contexte s'y prête.

• POSTER SESSION // PRÉSENTATIONS PAR AFFICHES

It is anticipated that one session or time slot will be devoted to a poster session where groups and individuals can present research findings, concepts, proposals, and initiatives in a visual format. Conference registrants will have the opportunity to circulate and speak to those who are presenting posters, providing a good opportunity to network and exchange ideas.

Nous prévoyons une plage-horaire pour des présentations par affiches décrivant des résultats de recherche, des concepts, des propositions, ainsi que des initiatives pouvant profiter d'un support visuel. Les congressistes pourront circuler et discuter avec les présentateurs des affiches, favorisant ainsi le réseautage et l'échange d'idées.

• DOCUMENTARIES & SHORT FILMS (90 min.) // DOCUMENTAIRES & COURTS MÉTRAGES (90 min.)

Research teams or organizations wanting to inform, share with, or sensitize the public on real-life experiences may use film media. It is recommended that time be reserved for discussion with the participants on the content of the project as a whole.

Les équipes de recherche ou les organismes qui veulent renseigner ou sensibiliser le public sur des expériences vécues ou encore échanger sur ces expériences, peuvent le faire au moyen de films. Il est recommandé de prévoir une période de discussion avec les participants sur le contenu de la présentation ou l'ensemble du projet.

HOW TO SUBMIT AN APPLICATION
COMMENT PROPOSER UNE COMMUNICATION

Your proposal can be submitted by completing the form:
Soumettez votre proposition en remplissant le formulaire :

- **at ccja-acjp.ca and forwarding it to the Canadian Criminal Justice Association by email at ccja-acjp@rogers.com**
  sur le site web de l'ACJP (ccja-acjp.ca). Transmettez-le ensuite à l'Association par courriel : ccja-acjp@rogers.com
- **or by fax at 613-725-3720** | ou par télécopieur au 613-725-3720
- **or by mail at 320 Parkdale Avenue, Suite 101, Ottawa, Ontario, K1Y 4X9.**
  ou par la poste: 320, avenue Parkdale, bureau 101, Ottawa (Ontario) K1Y 4X9.

The selection committee will choose workshops based on the following criteria:
Le comité de sélection choisira les ateliers et les présentations sur la base suivante :

- **Fit within one or more of the themes** | La proposition porte sur un ou plusieurs des sous-thèmes
- **Innovative formats (see "Workshop Format", p.7), including the extent to which the workshop is collaborative, interdisciplinary and interagency if appropriate**
  Le format est novateur (voir la section « Ateliers et causeries », p. 7) incluant le degré de collaboration, interdisciplinarité et collaboration inter-agence lorsque de mise
- **Builds knowledge, attitudes, skills and hope among those who attend Congress 2015**
  Le contenu est apte à renchérir les connaissances, les attitudes, les compétences et l'espoir parmi les congressistes
- **Connects theory, practice and personal/professional experience; and links awareness, action and advocacy**
  On tente de tisser des liens entre la théorie, la pratique et l'expérience personnelle ou professionnelle ; et entre la sensibilisation, l'action, et les actions de plaidoyer
- **Goes beyond describing issues to propose creative, workable solutions, strategies, and good practices for the justice system and communities**
  On va au-delà de la description pour proposer des solutions, stratégies et pratiques créatives et applicables pour le système judiciaire et les communautés
- **Considers issues facing the justice system and different groups in a changing society, including how to address these issues and support these groups**
  On présente des problématiques affectant le système judiciaire et divers groupes dans une société changeante, qui inclut des idées sur les stratégies en réponse à ces problèmes et un appui pour ces groupes

IMPORTANT INSTRUCTIONS & DATES
DIRECTIVES ET DATES IMPORTANTES

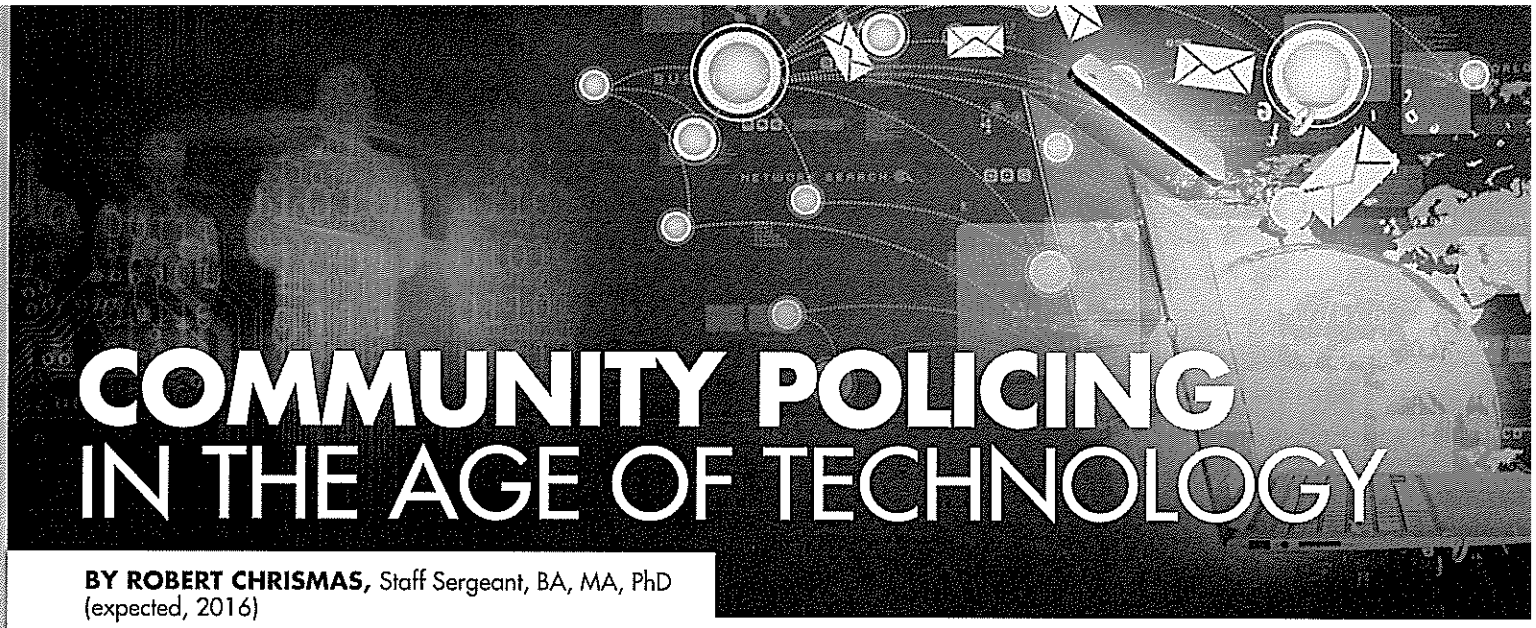
All presenters and co-presenters at the Congress must pay registration fees.
Tous les conférenciers et les coconférenciers doivent payer leurs frais d'inscription au Congrès.

- **Deadline for submissions: March 1st, 2015** | Date limite pour soumettre une proposition : le 1er mars 2015
- **Notification to the presenters: April 30, 2015** | Avis aux conférenciers : le 30 avril 2015

For more information on congress | Pour plus de renseignements sur le congrès

Canadian Criminal Justice Association
Association canadienne de justice pénale **www.ccja-acjp.ca**

Collaborative Centre for Justice and Safety: **www.justiceandsafety.ca**



COMMUNITY POLICING IN THE AGE OF TECHNOLOGY

BY ROBERT CHRISMAS, Staff Sergeant, BA, MA, PhD (expected, 2016)

Robert Chrismas is the author of *Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes* (McGill-Queen's University Press. 2013. Paperback 2014).

One review, on www.booksmanitoba.com/chrismas-robert.html, notes that Staff Sergeant Chrismas' book *conveys the focused reflections of an experienced Canadian police officer, an underrepresented perspective that will interest both students and scholars in criminology, and informed general readers* - (Professor Lisa Dufraimont, Faculty of Law, Queen's University).

Well into my fourth decade in law enforcement, I have the benefit of hindsight on many issues connected to policing in Canada. I've personally observed and experienced many trends, strategies and approaches. Some come and go, following continually shifting community demands. We (policing professionals) have vacillated in many ways by periodically rejecting and returning to previously abandoned practices and models. Most police agencies have, for example, at different points in time, shifted their focus from centralized to decentralized operations only to later shift back. During certain periods, the predominant feeling has been that the reactive approach of centralized resources offers better efficiency. At other times, proactive, community-oriented decentralized approaches have been favoured. These tactics often involve bringing satellite offices to the community, thereby enabling officers to better connect with others in their areas of responsibility. While both approaches have merits and can easily be rationalized and justified, it has seemed to me that pressure to centralize increases as soon as we decentralize, and vice-versa. Obviously, there are costs associated with each change.

Police agencies, nonetheless, have operated in this fashion in recent decades, shifting in continuous cycles between reactive and proactive philosophies. Policing has continuously changed back and forth between centralized office structures and decentralized, community-based offices and locales. It has also been greatly impacted by technology. In this first quarter of the 21st century in Canada, community-oriented collaborative approaches resonate within agencies of justice and are accepted generally across society as the favoured approach to community safety. Community-oriented policing has thus become the preferred paradigm for modern policing (Oliver 2000 in Ren, 2005: 55). Cooke-Scott (1998: 121) pointed out, 'For many in police administration today, the question is not whether to implement a more community-based approach, but how to do it.' She also notes how community-based policing models have struggled with "fundamental problems in implementation, both internal and external" (Cooke-Scott 1998: 120). This is still true today. A brief look at the evolution of policing since the early 1800's will help illuminate the subject.

A BRIEF LOOK AT THE EVOLUTION OF POLICING SINCE THE 1800S

In 1829, British Home Secretary Sir Robert Peel established one of the first professional police forces in London, England (Peel: 1929). It was an innovation in public safety, and it formed a model later established in the colony of Canada. Peel is credited with defining a set of principles of good policing that are relevant to this day, and resonate with the values of community-oriented policing. Peel's Nine Principles of Policing (Peel — 1829):

1. The basic mission of the police is to prevent crime and disorder.
2. The ability of the police to perform their duties is dependent upon public approval of police actions.
3. Police must secure the willing cooperation of the public in voluntary observation of the law to be able to obtain and maintain the respect of the public.
4. The degree of cooperation from the public diminishes proportionately the need for the use of physical force.
5. Police seek and preserve public favour not by catering to public opinion but by constantly demonstrating absolute and impartial service to the law.
6. Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice, and warning is found to be insufficient.
7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties that are incumbent upon every citizen in the interests of community welfare and existence.
8. Police should always direct their action strictly towards their function, and never appear to usurp the powers of the judiciary.
9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

Peel's principles emphasize the role of community, defining the police as an extension of the citizenry (principle number seven), dependent on realistic relationships, and requiring public approval for legitimacy.

Early 20th century: small communities to larger urban centres...

At the turn of the next century, Canada entered the industrial era and advanced from agrarian to industrial society. People left the farm to work in factories and offices. Much responsibility for children's education was given over to the education system. People came to rely on schools to teach their children what had historically been learned at home. Other public service providers also came to be relied upon for much of what individual citizens used to manage on their own in their smaller communities. In the police case, some of the best principles established by Sir Robert Peel were eroded by changing demographics. The relationship between citizens and police was greatly diminished by the move away from small farming towns into larger urban cities. Professional police agencies started being seen not only as an extension of the public, but as a professional arm of government and solely responsible for public safety.

Mid-20th century: crime rates began to rise dramatically...

In the 1950s and 60s, crime rates began to rise dramatically and became much more central in public discourse. Police agencies played naturally, perhaps unwittingly, into the ensuing public fear, capitalizing on their monopoly over crime fighting and investigative capacity (Thurman, Zhao & Giacomazzi 2001 in Ren et al 2005: 56). Of course when the only tool you have is a hammer, 'every problem looks like a nail' (author unknown). Many, if not most, police agencies have felt pressure to perform and reduce crime in ways that are beyond their capabilities. It is analogous to Doctors and the medical profession trying to reduce the incidence of lung cancer from smoking by only treating the disease once it presents. To reduce lung cancer, research and a massive public awareness campaign had to be engaged to reduce smoking. Much crime is symptomatic of deep social problems that affect people long before the crime occurs. Simply reacting and bringing issues before the courts does nothing to address the root causes of crime. New approaches and innovations are needed to effectively affect the root causes of crime. It is important that the police be perceived by the public to be effectively reducing crime but equally important that people realize the police are only one of many stakeholders in reducing it. Mid-century, the policing profession was generally considered as a central focus and social institution responsible for crime reduction.

Community-oriented policing developed as a formal concept in the 1950's & 1960's...

Community-oriented policing developed as a formal concept in the 1950s and 60s in Canada, for its perceived ability to improve interaction between police and the communities they serve (Greene 1987). Cooke-Scott (1998: 120) later wrote that *community policing represents a fundamental shift in police-services management and has replaced the military model as the dominant service delivery model in Western Countries.* Nonetheless, the reactive enforcement-oriented (*treat-the-symptom*) approach remained predominant during this period. Success was measured by police ability to investigate and bring charges, rather than attacking and eliminating the root causes of crime. Crime prevention, if thought of at all, was more generally perceived as the responsibility of social institutions other than the police.

Recent decades: emphasis is on engagement and legitimization of police by the citizenry...

In recent decades, professional police officers have become increasingly aware of the need for renewed emphasis on public legitimization, engagement and support in order to be effective. Tyler (2002: 72) wrote, 'it is not enough to focus on actual quality of police performance, since police agencies may execute their job duties effectively and constitutionally and still find themselves without community support.' Police agencies have strived to engage citizens and be seen as responsive to changing community needs using problem-solving, community-oriented approaches.

Halton Regional Police Service (HRPS), in Ontario, Canada, was one of the earliest comprehensive community policing programs implemented in North America (Cooke-Scott 1998: 121). Through Halton's experience it was learned that implementation and change to community-oriented policing approaches comes with challenges. Examining the Halton experience, Cooke-Scott (1998: 121) concluded, 'If you want to 'do' community policing, you have to do it the hard way. That is clearly the lesson to be learned from the HRPS experiences with community based policing.' Cooke-Scott, (1998) concluded from studying the Halton case that agencies wanting to implement community-oriented policing models have to be all-in; partial commitment will not bring about the momentum needed to make substantial change in police organizational cultures.

THE PARADOXICAL IMPACT OF TECHNOLOGY ON MODERN-DAY POLICING

Advancing technology complicates the struggle for community-oriented policing...

Along with the struggle between community-oriented vs. reactive approaches, Canadian police agencies have also grappled with the rapid continual evolution of technology. Advanced crime mapping software has replaced the coloured pins on maps that once adorned the walls of most detective offices. Digital databases have replaced the old filing cabinets that police officers historically spent thousands of hours in their career sifting through for links between crimes and suspects. Traditionally, detectives made a name for themselves by having the tenacity to knock on doors, cultivate informants, study written reports and interrogate subjects to solve crimes. While most of these skills are still highly relevant, the modern-day detective becomes useless or highly dependent on others if they do not have computer skills to search digital databases for clues and data. The principles of good policing, as defined by Sir Robert Peel (1829), are the same, but the tools are different.

Greatly increased information flows... how to deal with all this data!

In my 25 years in policing I have observed fundamental shifts in the way investigations are conducted under the impacts of technology.

Two decades ago we had officers to do the work, but not enough information to assess. Now, as a result of technology, we have massive amounts of data available and insufficient human resources to fully analyze it all. We now must pick and choose where to apply limited resources analyzing the data we collect. This affects decision making on how to apply the technology. For instance, if we deploy cameras in areas to record criminal activity and gather massive amounts of intelligence, we better have resources to analyse the data. That is why in my book *Canadian Policing in the 21st Century: A Frontline Officer on Challenges and Changes* (Chrismas, 2013), I highlighted in the dedication, "The weapons and the battleground have changed over the past two decades, but the values they [police] fight for remain the same."

Technology and access to information by citizens also impacts policing...

Advancing technology and access to information by citizens has impacted policing in other ways as well. More books and articles are now published every year than in all recorded history before the mid-twentieth century (Brooks 2002). Technology has changed the relationship between the police, and all government agencies for that matter, and the public. Now, officers' actions in the street are likely to be streaming on YouTube or in the media before they get back to the station to write their reports. The average person carrying a smartphone now has more immediate access to information than senior government officials had in the past. Government agencies, including the police, no longer have a monopoly of power through the control of information. Now they often must manage information that is already out in the public domain, rather than themselves deciding what information should be released.

'Citizen journalists' sometimes only capture part of a story...

The modern policing environment is entirely different than it was up until this current wave of publicly accessible, available and popular smartphone technology. My teenage kids rarely use the voice telephone function of their smartphones. Nowadays, it is all about texting, snap chatting, instagramming, facebooking and tweeting. In the modern context, most Canadian citizens carry smartphones with more advanced camera technology than the finest cameras two decades ago. Citizen journalists can potentially expose questionable police behaviour (Lasley 1994; Martin 2005), however, they may also capture only part of a story and spin the rest before sufficient time has passed to investigate and reveal the truth about what happened at an event. Sometimes in this scenario the damage of false reports based on partial information has already been done in the media before the police can make informed statements, after a thorough investigation, about what actually transpired.

Some police say "Yes" to body-worn cameras...

Knowing they are possibly being recorded can cause hesitation for officers during critical incidents when a moment of uncertainty can result in death or serious injuries to themselves or others. For instance, race of a subject often enters the mind of officers in high-risk incidents. During critical incidents police officers should react to the threat, based on their training. The reality is that sometimes hesitation enters their minds as a result of the knowledge that use of force against a visible minority may result in inquiries and public outcry. Body-worn cameras are being put into service in many agencies. Officers in some jurisdictions are embracing the opportunity, as they have been subject to constant recorded scrutiny of citizen journalists for so long that officers now want the ability to capture videos and report their perspectives. The body-worn camera implementation team of the Edmonton Police Service, at the Canadian Association of Chiefs of Police conference in Winnipeg, in August 2013, advised that officers wanted the cameras, as they were tired of being recorded in the street by people and not being able to record their own perspective. The changing relationship between the police and the public affects trust, public perceptions and effectiveness of working relationships.

Disclosure and report writing now consumes over 40% of modern police workdays...

The ability to analyze data and make intelligence-driven operational decisions is further hampered by continually changing demands on policing. Malm et al (2005) found that report writing requirements on Canadian police officers have increased substantially since the 1970s. From personal experience, I know that administrative demands have increased to the point that one of the biggest modern-day policing challenges is to clear officers of paperwork and get them out on the street. Modern-day police leaders are constantly fighting the tide of increasing administrative demands on officers, in order to carve out more operational patrol time on the street. Malm et al (2005) found disclosure and report writing that took half an hour in the 1970s, now consumes over 40% of modern day police officers' workdays. There is always one more form to fill out or one more step in a process that invariably equates to greater demands and more time in the office for officers.

The paradox of emerging information technologies is in the work they create...

The assumption has always been that technology will reduce work. In many cases, however - we have found that it often creates more. Now we must learn and stay abreast of increasingly complicated software programs and spend time performing data entry. Sometimes we become slaves to software systems intended to make work easier. There is no doubt, on the other hand, that technology has facilitated information sharing on a level that was unimaginable in previous decades. In many jurisdictions officers carry smartphones and cruiser cars are often equipped with windows-based computers and suspect information and pictures can be distributed widely and in real time. Of course, criminals also have access to similar technologies and they are not bound, as are police, to operate within the law, jurisdictions, and bureaucratic, political and financial constraints.

Real-time communications and world-wide information sharing...

Terrorists and organized criminals can now communicate in real time through worldwide web-based social media network services. Police agencies around the World share a responsibility for policing this new global Internet frontier. This is a new paradigm in policing, as officers used to be responsible only for crime occurring in their own jurisdictions. Now, if a person in Canada is defrauded, the suspect is just as likely to be in another continent. Therefore, Canadian

police officers rely on officers around the World, and vice versa. In my book I describe a case in point, when I was working in the Integrated Child Exploitation Unit. An officer in the German State Police sent us a package in Winnipeg with the pornography they traded, undercover, on the Internet with a person who in turn sent back hard-core images of terrible child sexual abuse. They sent a nice neat package with all the evidence on DVD, and the suspect URL, which was with the Manitoba Telephone System. I obtained a search warrant for the subscriber information and then a warrant for his house in Winnipeg. We seized what was, at the time, one of the largest collections of illegal child sexual abuse images captured in Canada to date -and arrested the suspect. He also had images of 24 women he was stalking in Winnipeg, with maps to their homes and fantasy stories he had written about them. In this case, an officer in Germany protected women in Winnipeg and children around the World.

Cybercrime: changing the way crimes are committed and investigated...

The 2014 report of the Winnipeg Police Board and the Winnipeg Police Service, entitled *The Environment for Policing in Winnipeg*, notes that "rapidly changing technology is changing the way crimes are committed and how crimes are investigated." For example, cybercrime is 'one of the fastest growing areas of crime.' Cybercrime is global and "includes identity theft, child pornography, attacks against computer data and systems, use of viruses, threats against infrastructure controlled by technology, recruiting for and inciting terrorism and commercial fraud.' It is thus 'complicated by different laws in different provinces and countries, and needs careful coordination of police organizations' (WPB/WPS Report, 2014).

Developing public trust and support...
Compstat and Other Deliverables

Willis (2011) suggests three possible ways for police organizations to develop public trust and support: (1) systematic reporting of community problems at Compstat meetings, (2) involving the community in problem solving, and (3) using maps and statistics to support decisions. Willis (2011: 654) described Compstat as follows: [Compstat is] 'a focused strategic management system concentrating on reducing serious crime by decentralizing decision-making to middle managers.' Numerous scholars have agreed on the need for accountability to the public and the perception of data-driven approaches (Bratton & Knobler 1998; Henry 2002; Silverman 1999; Weisburd et al. 2003). The need for accountability is compatible with or perhaps a main driver of the perceived need for data-driven approaches internally within policing as well.

Evolution of professional police services....

The evolution of professional police services had the initial net effect of shifting responsibility for public safety away from the citizenry into the hands of police. Police agencies came to be viewed as solely responsible for public safety, independent of a largely dis-engaged public. Police are currently seeking to re-engage citizens and transfer part of the responsibility back to the community of citizens and other social institutions and agencies. This is happening naturally as increasing demands outstrip resources and capacity, providing the incentive and need for the new efficiencies that community-oriented approaches can offer. Finding efficiencies and improving effectiveness with existing resources is the new economics of policing. It replaces traditional approaches of simply getting more boots on the ground. In many cases police chiefs are asking politicians to provide more resources for technology and analytical resources, and not the traditional more-police-on-the-street approaches.

COMMUNITY-ORIENTED MEANS DIFFERENT THINGS TO DIFFERENT PEOPLE...

Community-oriented policing has been pursued due to the mass of evidence that reactive practices in overall crime reduction are generally less effective (Bayley 1994; Goldstein 1987; Greene 1987; Rohe, Adams & Arcury 2001; Smith, Novak & Frank 2001; Eck & Spelman 1987; Goldstein 1987; Skolnick & Bayley 1987). While community-oriented policing is widely endorsed by those involved in it, Bayley (1988) has pointed out that the term actually means different things to different people. For example, different police departments have placed emphasis on different aspects of community policing, including crime prevention seminars, satellite community-based storefronts, newly designed uniformed patrol beats and foot patrols, community advisory groups and forums, neighborhood watch programs and strategies to make the police more visible in neighborhoods (Bayley 1988; Rohe et al. 2001; Skogan 1994).

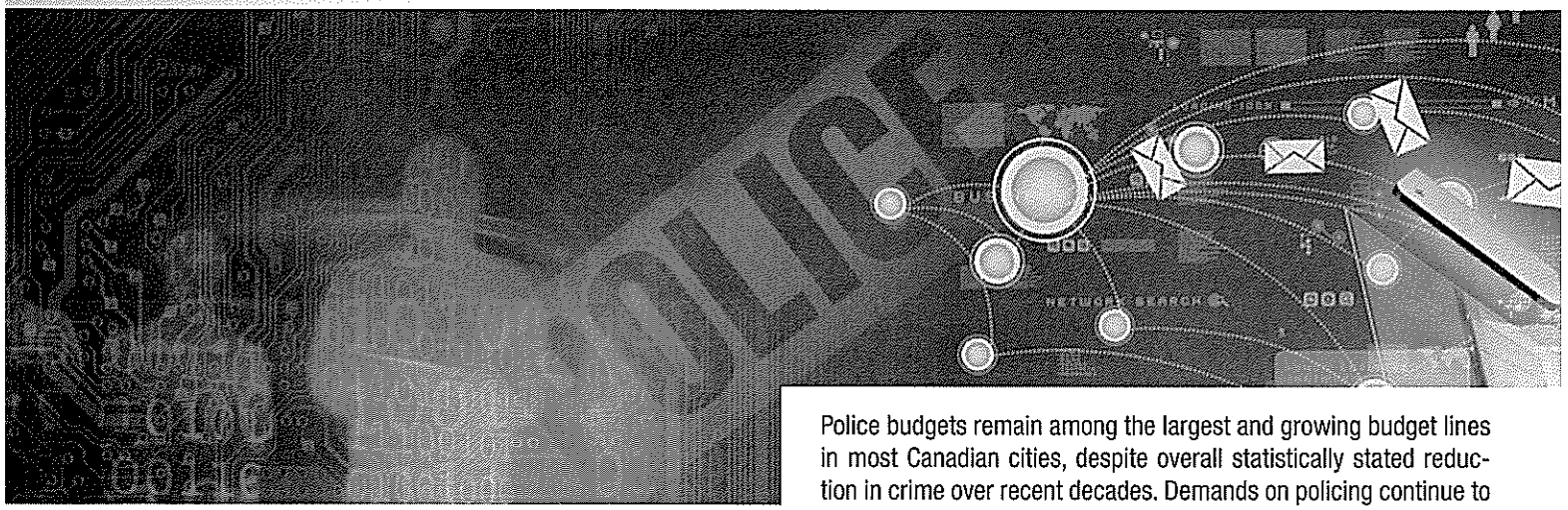
Zhao, Lovrich and Robinson (2001) examined core functions and priorities in 200 North American municipal police agencies, exploring (1) crime control, (2) order maintenance, and (3) service provision in the modern community-policing context between 1993 and 1996. They found that declining trust in law enforcement has motivated police agencies to strive for better engagement with citizens and community groups (Capowich & Roehl 1994; Cordner 1998; Kelling 1988; Trojanowicz & Buqueroux 1990, all in Zhao et al 2001).

New technologies must be used intelligently and take time to implement successfully...

Community-oriented approaches should offer total accountability and the perception (and reality) that strategies are informed by intelligence and critically thought out rationale. Willis (2011: 654) wrote that community policing has been defined in different ways. It is a philosophy designed to reduce crime through community partnerships, problem solving, and the delegation of greater decision-making authority to frontline officers (Schneider et al. 2009; Skogan 2006; Mastrofski & Maguire 2000: 4-8). New technologies may or may not assist modern approaches - depending on whether they are used intelligently and effectively.

New approaches and the primacy effect...

The primacy effect of new approaches is a topic for potential future research. New approaches may be popular by virtue of being new, not so much based on their effectiveness. In my career I have observed, anecdotally, that new police administrations often implement change, apparently in order to illustrate that they are doing something substantial. In my book I described this phenomenon in terms of centralization vs. decentralization. Either approach has its benefits and either may (and often is) be adopted as a new ap-



proach for a new administration (ibid.). So, many police agencies go through these changes in a fairly cyclic and predictable manner, along the timings of police chiefs' terms of office.

Measuring success: proactive approaches take longer to show results...

As is the case with many social problems, measuring success can be challenging. Willis (2011) points out it is difficult to identify if community-based measures can be attributed to increased citizen satisfaction, or if that satisfaction simply arises from increased police presence in neighbourhoods (Hawdon et al. 2003: 485). As for Compstat, Willis (2011) reports there is little evidence to suggest that an increase in Compstat's implementation over time has corresponded to increases in favorable evaluations of police. Public confidence in police ability to reduce violent crime has remained steady since Compstat's inception in 1994 (Pastore & Maguire 2006). Mastrofski (2006: 62) emphasized there are no obvious patterns related to community policing in terms of citizens' satisfaction with the police services. Nonetheless, both approaches were very popular when first implemented (Ritti and Mastrofski 1999; Willis et al. 2007). It is noteworthy that preventative approaches take longer to show measurable results. Zhao et al (2001: 373) pointed out it took 30 years, from the 1900s to 1930s for Peel's professional policing to be established in America. Therefore, stressed Zhao (ibid), it will take much longer to know if community policing will become a genuine long-term priority. Not only does it take longer to show results, but community-oriented policing also represents a paradigm shift for agencies and as such takes time to become entrenched in organizational culture. Organizational-change resistance can be a barrier to implementation of new policing approaches.

IMPLICATIONS AND CONCLUSION

Modern day policing strategies are often intelligence-led, problem-oriented and community-based (Caputo & Vallee 2005; Newburn & Reiner 2007; Seagrave 1996, 1997). O'Conner (2008) highlighted that regardless of the policing model, greater emphasis is being placed on community input and engagement in policing in the modern-day context. Improved community-oriented approaches can reduce 'us-versus-them' attitudes within police services and the communities they serve, which also reduces barriers to effective community involvement.

Police budgets remain among the largest and growing budget lines in most Canadian cities, despite overall statistically stated reduction in crime over recent decades. Demands on policing continue to rise (Chrismas 2013); and as a result, the new discourse in the law enforcement community concerns the economics of policing. The new police economics are not about continually increased financial investments, but rather about finding efficiencies and effectiveness within existing resources, including the best use of evolving technology. This occurs through better cooperation and information sharing between police and other service providers. The new economics, in brief, are all about getting back to sustainable community-oriented policing models that reunite police with their citizenry.

Implications are substantial for agencies failing to successfully engage communities and partners effectively. Demands have increasingly outpaced police capacity in recent decades in Canada, causing a fairly urgent discourse around the economics of policing. Police agencies cannot continue to do more with less, and municipalities have begun digging in to resist swelling police budgets. Purely reactive policing approaches fail to address the root causes of crime. Traditional paradigms that allowed police agencies to say, 'that is not our mandate, that is the responsibility of [insert: child welfare, health, education, housing, immigration, liquor board, politicians, etc.]' are no longer acceptable, as people working in all of these agencies now have a better understanding of the inefficiencies and ineffectiveness of working in isolation from one another. Many services are duplicated and many gaps exist. The community loses when service gaps are allowed to continue, because these often contribute to our failure to address the root causes of social problems.

A key to implementation is the understanding that major changes require large investments of resources for the change process, to ensure they are accepted both internally, within police agencies, and by the community. The rationale for the need for change can include raised awareness about the greater effectiveness of community-oriented approaches. Historically, police agencies have vacillated between preventive and reactive approaches and between centralized and decentralized community-based approaches. In the long run much energy could be saved by organizations that identify a best overall approach and maintains it over a long period of time. Perhaps 25-year strategies would overcome the temptation for leaders to makes changes in order to show perceived short-term improvements. Ultimately, we all stand to gain from a better understanding of the challenges and opportunities for community-oriented policing in Canada. ••

RÉSUMÉ

COMMUNITY POLICING IN THE AGE OF TECHNOLOGY

Par Robert Chrismas, Sergent-chef, B.A. (1998), M.A. (2088), Ph. D. (en cours)

Dans cet article, M. Robert Chrismas, sergent-chef au Service de police de Winnipeg, doctorant et auteur publié, s'intéresse à la valse-hésitation chronique apparente des services de police canadiens — entre les modèles de services de maintien de l'ordre réactifs, centralisés, d'une part, et les approches proactives, décentralisées, axées sur la collectivité et la prévention, d'autre part. Chrismas nous fait part de ce qu'il a constaté durant ses 25 années dans les services de police et fait valoir que les approches axées sur la collectivité sont à privilégier dans le contexte canadien moderne; il explique qu'il est de plus en plus nécessaire pour les policiers d'obtenir à nouveau l'engagement des citoyens. Chrismas met aussi l'accent sur l'incidence des nouvelles technologies de l'information et affirme que les communications en temps réel et l'accroissement des flux d'informations sont, pour les services de police, un atout qui impose de nouvelles façons de faire et de plus grandes exigences. La rédaction de rapports peut représenter jusqu'à 40 % d'une journée de travail. De plus, bien que la quantité d'information disponible soit utile lors des enquêtes, on doit disposer de ressources additionnelles, comme des analystes, pour la traiter de façon pertinente. Les technologies de l'information font en sorte que les policiers doivent tenir compte des lois sur la protection des renseignements personnels et des sphères de compétence alors que les criminels ont le même accès aux technologies émergentes, mais ne sont pas soumis aux mêmes contraintes.

PLEASE SEND ANY REMARKS, OR A COMMENTARY, REGARDING THIS ARTICLE

to *Justice Report* Editor, Nancy Wright:

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and keep your eye out for the Notices/Feedback section in future issues!

VEUILLEZ ADRESSER TOUT COMMENTAIRE RELATIF À CET ARTICLE

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Demeurez à l'affût de la section Avis/commentaires dans les numéros à venir.

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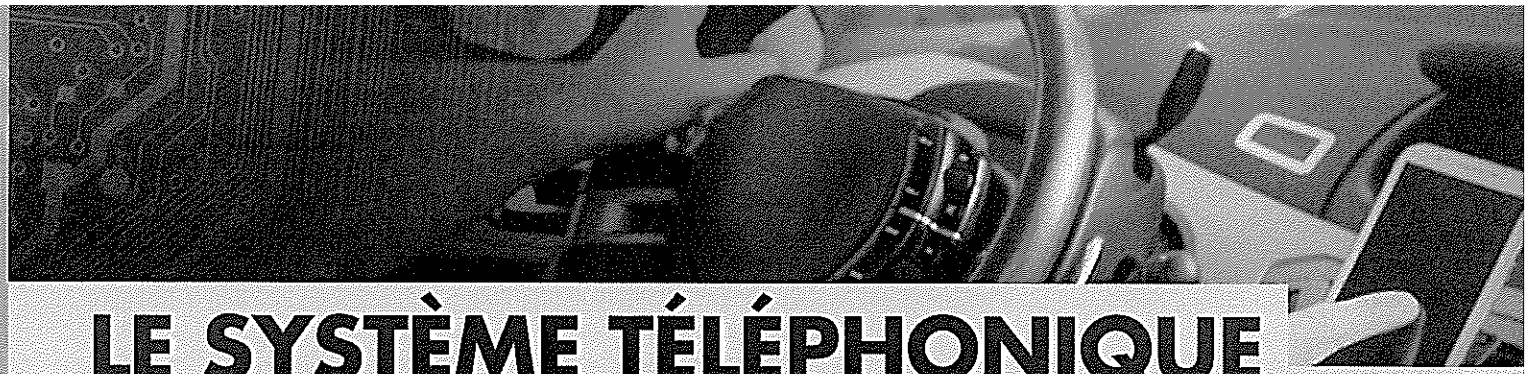


LE SYSTÈME TÉLÉPHONIQUE «MAINS LIBRES» SUR LA ROUTE

PAR FRANÇOIS BRUNET, jurilinguiste au Service administratif des tribunaux judiciaires - Il a en préparation une monographie consacrée à «L'interprétation des testament». La présente note ne reflète que les opinions personnelles de l'auteur.

L'article 439.1 du *Code de la sécurité routière*, LRQ, c C-24.2, réprime l'infraction suivante: «Une personne ne peut, pendant qu'elle conduit un véhicule routier, faire usage d'un appareil tenu en main muni d'une fonction téléphonique.»

Est acquittée, par le juge Buffoni de la cour supérieure du Québec, la conductrice qui se servait d'un microphone/amplificateur de la voix sans fil – de type *Bluetooth*, communiquant sans fil avec le téléphone portable, permettant au conducteur de converser avec un interlocuteur pendant la conduite sans toucher à son téléphone, normalement agrafé au pare-soleil, mais qui le tenait pendant un instant dans sa main, près de sa bouche, parce que son interlocuteur avait du mal à saisir ses paroles: Sanderson c. St-Bruno-de-Montarville (Ville de), 2013 QCCS 3566 (CanLII).

Nul doute que cet instrument était «muni d'une fonction téléphonique». Cependant, selon le juge Buffoni, il ne s'agissait que d'un simple «accessoire», et non pas d'un «appareil» au sens de l'art. 439.1. Il fait grief au juge de première instance d'avoir fait abstraction de la question du sens du mot «appareil», et de ne pas avoir suivi la jurisprudence *Villemaire c. L'Assomption (Ville de)*, 2011 QCCS 1837 (CanLII), qui décide qu'un casque d'écoute n'entre pas dans les prévisions de ce texte.

Penchons-nous sur elle. Le juge Vincent y observe:

> [19] Avec égards, le Tribunal considère que le premier juge commet une erreur dominante et manifeste en considérant que l'accessoire, le casque d'écoute, suit le principal, le téléphone cellulaire. La règle *Accessorium sequitur principale* ne doit pas recevoir ici application.
>
> [20] En instance, l'objectif avoué du législateur est l'interdiction d'avoir en main l'appareil muni d'une fonction téléphonique (ici le téléphone cellulaire) et non toutes ses composantes fussent-elles reliées à ce dernier par un fil ou sans fil (*Bluetooth*). Toute autre interprétation signifie, à toutes fins, que l'utilisation d'un *mains libres* (sans avoir l'appareil en main) serait interdite.

On s'étonne ici de voir qu'il est fait grief au premier juge d'avoir suivi cette doctrine purement civiliste, laquelle ne semble pourtant pas lui avoir effleuré l'esprit.

Surtout, il fait erreur lorsqu'il observe que «le texte anglais de la disposition législative est beaucoup plus clair que le texte français et traduit plus fidèlement l'intention du législateur» (par. 21). La réalité est que la version française est tout à fait claire, mais de portée plus large que la version anglaise: sont visés respectivement «l'appareil tenu en main muni d'une fonction téléphonique» et le «hand-held telephone». Il est probable qu'il y a là en fait une traduction fautive, qui trahit la version française d'origine et donc l'intention du législateur. Cela dit, l'acquittement prononcé dans l'affaire *Villemaire* peut éventuellement se défendre au motif qu'en matière pénale, le texte le plus favorable à l'accusé doit, en principe, prévaloir: *R c. Dunn*, [1995] 1 R.C.S. 226 (encore que, en l'occurrence, l'on peut soutenir qu'il ressort du deuxième alinéa de l'art. 439.1, où l'on trouve le mot «device», que l'intention du législateur était bel et bien de sanctionner l'utilisation de tous les appareils munis d'une fonction téléphonique, et pas seulement les «téléphones»: *Canada (Procureur général)* c. Vallée, 1993 CanLII 4222 (QC CA)).

Cependant, on constate à la lecture de la décision *Sanderson* que la version anglaise du premier alinéa de l'art. 439.1 diffère de celle qui était en jeu dans l'affaire *Villemaire*. L'on vise désormais «a hand-held device that includes a telephone function», cette fois de manière fidèle au texte français, ce que n'a pas relevé le juge Buffoni. A supposer même que la jurisprudence *Villemaire* fût saine, elle n'était plus d'actualité.

Quoiqu'il en soit, le juge Vincent avait conclut que si le casque n'est sans doute pas un «téléphone», l'on ne peut l'assimiler à «l'appareil lui-même». C'était occulter que le casque lui-même est, précisément, un appareil, qui répond à la définition tirée du dictionnaire Larousse exposée dans son jugement:

> **Appareil** n.m. (du lat. apparare, préparer)
> 1. Objet, machine, dispositif formés d'un assemblage de pièces et destinés à produire un certain résultat. Les appareils ménagers, les appareils de sauvetage.

Par analogie, en l'espèce, le juge Buffoni décide qu'un microphone sans fil n'est qu'une composante du téléphone cellulaire. Il observe:

> «[58] Outre le fait que l'Accessoire porte la marque *Motorola* et outre les explications de l'appelante sur la façon dont elle utilisait cet appareil de type *Bluetooth*, la preuve en première instance fournit fort peu de renseignements techniques à son sujet, que ce soit quant au modèle ou à ses spécifications ou caractéristiques particulières.
>
> [59] La poursuite n'apporte aucune preuve technique et ne fait appel à aucune connaissance d'office permettant distinguer l'Accessoire de l'appelante casque d'écoute de M. Villemaire.»

Le savant juge pèche par excès de modestie. Nul doute qu'il n'est pas titulaire d'un

diplôme d'ingénieur électrique, et qu'il n'a pas fait carrière en droit des brevets avant sa nomination à la magistrature; pourtant, aux par. 4 à 6, sans l'aide du ministère public, il expose de manière magistrale les données techniques suffisantes permettant de conclure que l'accessoire en question est bel et bien un «appareil», répondant à la définition du Petit Larousse qu'il a puisée dans le jugement *Villemaire*.

On admettra que le microphone en cause est un simple «accessoire» vu la définition pertinente du Petit Robert:

> «Objet, instrument, appareil destinés à compléter un élément principal ou à aider au fonctionnement d'un appareil dans les diverses circonstances de son utilisation...» - Autom. Équipement complémentaire, adaptable aux automobiles et aux motocyclettes. (Les accessoires concernent soit le confort, soit la sécurité [rétroviseur, appuie-tête], soit la performance [kits adaptables].).

Pourtant, la distinction entre «appareil» et «accessoire» est stérile.

Un «appareil» peut comporter des éléments que l'on peut qualifier indifféremment de «sous-appareils» de «composants» ou «d'accessoires». Un téléviseur est un «appareil», mais la télécommande n'en est-elle pas un également? Et le modem relié à la télévision? N'en va-t-il pas de même de la radio et du lecteur CD intégrés au véhicule automobile et du casque d'écoute, avec ou sans fil, peu importe qu'il serve aux communications téléphoniques ou à l'écoute de musique dans quelque lieu que ce soit? La notion «d'accessoire» n'est que relative. Vu que, en matière «d'appareil», le Littré évoque, d'ailleurs un «assemblage de pièces, d'instruments propres à une opération», l'on peut conclure que, dans le domaine électronique, tout accessoire est, la plupart du temps, un «appareil» (sauf, par exemple, une simple agrafe en plastique). Ces deux mots n'ont rien de contradictoire.

Dans la mesure où, comme en l'espèce, il y a transfert de la fonction «réception de la voix», du téléphone proprement dit à un microphone distinct, non relié par fil, l'on peut, en effet, parler d'un dispositif qui «aide au fonctionnement de l'appareil dans les circonstances de son utilisation», en l'occurrence pendant la conduite automobile. Cependant, que ce microphone en activité ne soit pas matériellement intégré au boîtier téléphonique, est sans pertinence. De toute manière, l'usager «tient» le téléphone, même si l'ensemble de l'appareil ne se trouve pas au complet dans la paume de sa main. La réalité incontournable est que, dès le transfert, le microphone devient «un appareil... muni d'une fonction téléphonique», tout comme la *Citizens' Band Radio* en cause dans la jurisprudence *Mérineau c. Longueuil (Ville de)*, 2011 QCCS 2905 (CanLII), qu'auraient dû suivre les juges Vincent et Buffoni.

CONCLUSION

L'on ne peut qu'inviter instamment le prochain juge appelé à se prononcer sur le sort d'un conducteur bavard à répudier cette malencontreuse jurisprudence et à écarter l'argument trop matérialiste du juge Buffoni. L'article 439.1 ne sanctionne pas l'usage au volant d'un «téléphone» mais bel et bien «d'un appareil tenu en main muni d'une fonction téléphonique», des mots au champ d'application beaucoup plus large.

Le conducteur se conforme à la loi tant et aussi longtemps qu'il conserve, concrètement, en tout temps, les mains libres. Au moment où il saisit, pour quelque motif que ce soit (même d'ordre technique), le microphone *Bluetooth* (ou un casque), bref, dès lors qu'il n'a plus les mains libres, il perd la protection de la loi et l'infraction est constituée. En cas de problème d'utilisation, il est donc tenu d'arrêter son véhicule pour y remédier, ou pour poursuivre son édifiant dialogue. En d'autres termes, il ne suffit pas que le système soit conçu pour être, en principe, utilisé sans les mains.

Cela dit, on saurait trop recommander aux conducteurs loquaces d'aller... au-delà de leurs obligations légales et de s'abstenir de toute communication téléphonique, même avec un système «mains libres», car s'il n'est pas, à l'heure actuelle, prohibé (notamment parce que la répression poserait des problèmes pratiques aux forces de l'ordre), comme l'expliquait la ministre des transports:

> «On sait, selon l'Institut de santé publique, et on le reconnaît... que, peu importe que ce soit une conversation téléphonique au combiné ou au mains libres, elle dérange la concentration du conducteur... et c'est dans ce contexte-là qu'on dit qu'on va continuer à faire de la sensibilisation». Journal des Débats le jeudi 13 décembre 2007 - Vol. 40 No 22

Le système «mains libres» n'a, hélas, rien de libératoire. Madame Sanderson a échappé à l'amende en égarant la Cour supérieure au moyen d'une sémantique douteuse. C'est de bonne guerre, mais... qu'elle garde à l'esprit que la peine de mort n'est toujours pas abolie sur la route.

Et les condamnations sont sans appel.••

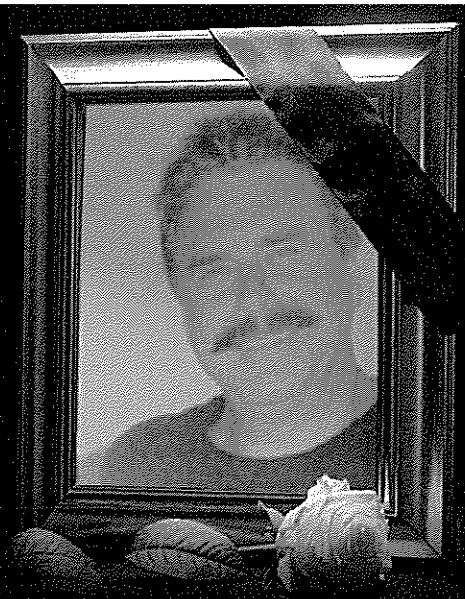
ABSTRACT

LE SYSTÈME TÉLÉPHONIQUE «MAINS LIBRES» SUR LA ROUTE

By François Brunet, jurilinguiste au Service administratif des tribunaux judiciaires

He is currently preparing a monograph on the construction of wills. The following article only reflects the author's personal opinion.

Mr. François Brunet, Jurilinguist with the Courts Administration Service (CAS), comments on a wording issue in Article 439.1 of the *Quebec Highway Safety Code*. To this end, he cites a case in which a fine was imposed by a judge who deemed the driver had been holding a device that includes a telephone feature as per the Code. The defendant appealed, citing a distinction between what she had been doing, i.e., holding the headset mouthpiece close to her mouth because the person she was talking to had been unable to hear her well, and talking "on a hand-held device equipped with a telephone function" as per Article 439.1. The Superior Court reversed the decision of the lower court and delivered an acquittal, noting that the original judge should have followed the precedent established by the 2011 *Villeneuve* case in which headsets were deemed excluded from the provisions of 439.1. Mr. Brunet, however, notes that it was never proven in *Villeneuve* that the driver had not had both hands actually free while talking on the phone, just that they had been using a "hand-held telephone" while driving. Mr. Brunet emphasizes that the judge in the *Villeneuve* case had not even been working with the official translation "*hand-held device* equipped with a telephone function") (439.1), but rather "*hand-held telephones*," which is much narrower in scope than the source language or the official translation. Mr. Brunet concludes, noting that while Sanderson was not convicted, drivers would do well to keep the true intention of the legislation in mind when at the wheel while talking on the phone, because an accident cannot be undone by an "appeal". In other words, "hands free" should always mean "hands free"!



ROBERT J. TROPAK
LLB, BSW

Published in the Winnipeg Free Press on October 18, 2014 (abridged)

It is with profound sadness and much love that we announce the peaceful passing of Robert J. Tropak on October 9, 2014. Left to cherish his memory is his loving wife Shelagh, family pet Blackjack of Edmonton, mother Elizabeth of Winnipeg, brother John (Silke), nephews Nick (Alicia), their daughter Anna, Joe (Yeori), their son Jack, and all of Calgary. Also left to mourn are mother-in-law Patricia Hamilton, sister-in-law Laura Hamilton of Calgary, brother-in-law Jeff (Laura) of Winnipeg, nieces Tara (Rob) of Gatineau, Jamie (Jazur) of Winnipeg, extended family and numerous friends throughout Canada. Robert was predeceased by his father John, October 9, 1989.

Born and raised in Winnipeg, Manitoba, Robert received his B.S.W. (Bachelor of Social Work) from the University of Manitoba in 1975, was on the Dean's Honour List 1972-1973 and recipient of the Max Margolis Prize 1973-1974 and 1974-1975. Rob returned to the University of Manitoba to pursue his life-long dream of becoming a lawyer. He graduated from the Faculty of Law in 1991, articled for the Federal Department of Justice and was called to the Manitoba bar in 1992 and the Bar of Alberta in 2007. While attending University in the 1970s, he was a part-time counsellor with the Manitoba Youth Centre, Student Parole Officer with the Parole Service and Audio-Visual Coordinator for the School of Social Work in Winnipeg. In May of 1975, Rob joined the National Parole Service, as a Parole Service Officer, resided briefly in Saskatoon, Saskatchewan as Assistant Coordinator of Community Resources, Prairie Regional Headquarters.

During the 1980s Rob held the positions of Head of Living Units, and Assistant Warden for Stony Mountain Institution in Manitoba. Working with Winnipeg Parole, and Correctional Service of Canada (CSC), he was a Manager for the Manitoba-North Western Ontario District (CSC), including Area Director and Acting District Director of that district as well as Deputy Warden for Rockwood Institution, frequenting Edmonton during this time. During the 1990s Rob began practicing family law and civil litigation and, from 1999 to 2001, he served as the Prairie Regional Chairperson for the National Joint Committee of Senior Corrections and Justice Officials, past President of the Canadian Criminal Justice Association (CCJA). Leaving Manitoba family and friends behind, Rob returned to Edmonton and was appointed to the National Parole Board, Prairie Region which he served as a board member for a five year term. In 2007 he joined Attia, Reeves, Tensfeld & Snow and where he built a successful family law practice and never looked back.

Rob was an intensively private person, fiercely loyal with family, friends and clients. There was nothing Rob would not do for his family and close friends who he loved unconditionally. Often, he could be heard raving about his nephews Nick and Joe and how very proud he was of them. His gregarious nature and huge personality was not overshadowed by his physical stature. Rob was a handsome man, standing 6'5 3/4", (thick) brown hair and brown eyes, signature moustache (which he sported for many years, until recently) and big beautiful smile. Besides the occasional pair of jeans, Rob's favourite colours were black and white, his wardrobe represented absurdly so, teased by family and friends regularly.

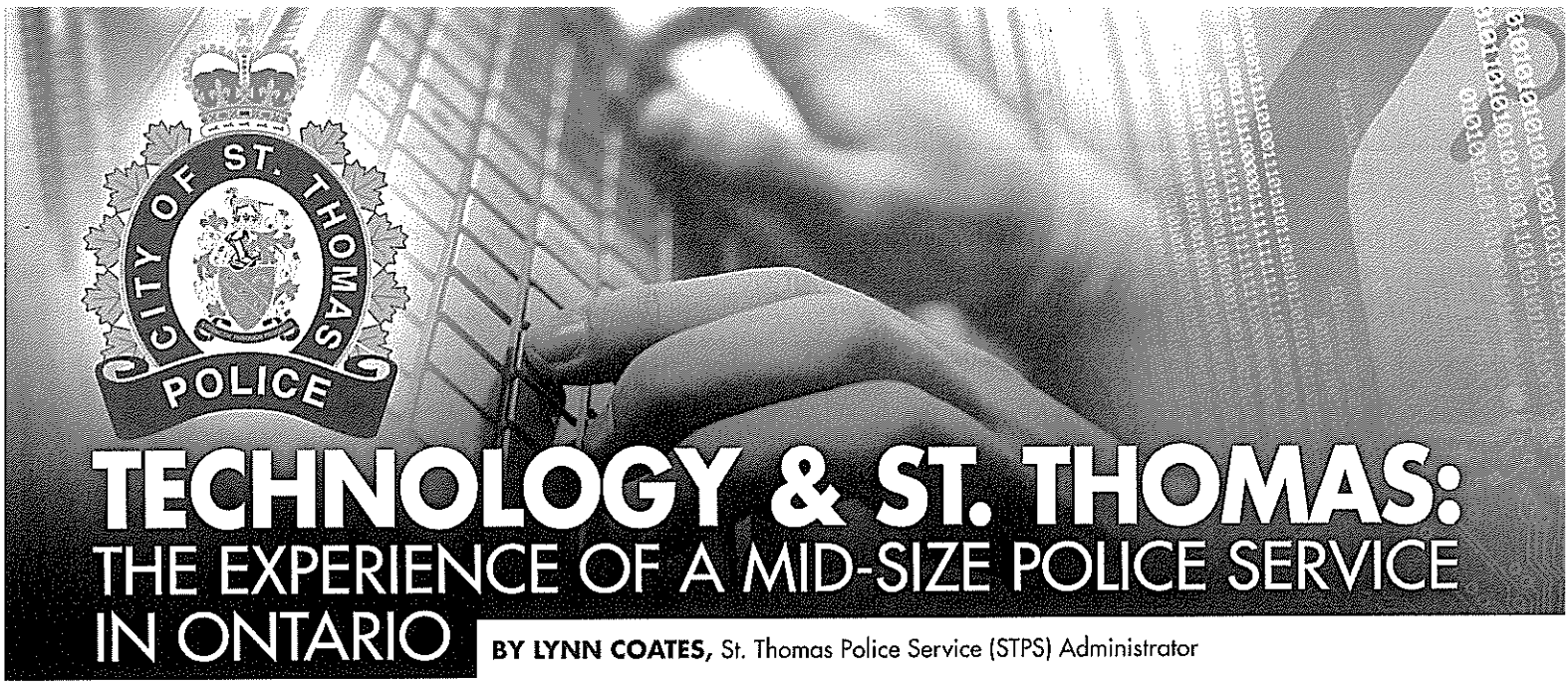
Equipped with Ping clubs, Titleist 2 balls, "Blackjack" loved golfing with his brother John, friends, from Rossmere Golf and Country Club, Winnipeg. He took great delight anticipating the annual golf trips to Phoenix, stating, "I've got this figured out!"

Spending his birthdays in Cancun with Shelagh, walking the beach (end to end) and snorkeling were some his favourite pastimes, swimming with turtles in Hawaii, sting rays in Grand Cayman and dolphins in Cancun. Taking his Mom on a cruise for her 90th birthday remains one of his fondest memories. Leaving the jag at home, he walked everywhere he could, often with Blackjack in tow. Rob enjoyed walking other cities, Montreal, Ottawa, New York City, San Francisco, and Vancouver, modern and contemporary museums, art galleries and architecture topping the list of attractions. With a keen sense of style, design, and tape measure in hand, Rob relished in revising floor plans, exteriors and constructing life-size cardboard furniture.

In his youth, Rob was an accomplished accordion player, attending the Ted Komar Accordion School and entering into the Manitoba Music Competition Festivals in Winnipeg. His musical tastes were vast from early Ella Fitzgerald, Billy Holliday, Vivaldi, Yoyo Ma, Rolling Stones, Beatles, Jessie Cook, Leonard Cohen, Guns n' Roses, to name but a few.

Equally, with robust enthusiasm, he cooked and entertained as often as possible: among his favourites, pasta carbonara, BBQ ribs (with homemade sauce), lobsters, banana flambé plus many more delicious creations. He also appreciated restaurants, bars and joked of ownership of such establishments upon his retirement. When it was appropriate to do so, Rob enjoyed volunteering in the political arena in Manitoba, working tirelessly, making life-long friends along the way.

Rob's other love was the law. Honesty and integrity paramount, it was difficult to differentiate between the lawyer and the man because they were so naturally intertwined. Intelligent and witty, he was a gifted story-teller, laughing at the situations' he often found himself in. Throughout Rob's life, his kind demeanor amplified, it was not out of character for him to help (or come to the rescue) of complete strangers caught in difficult or challenging circumstances… […]



TECHNOLOGY & ST. THOMAS: THE EXPERIENCE OF A MID-SIZE POLICE SERVICE IN ONTARIO

BY LYNN COATES, St. Thomas Police Service (STPS) Administrator

In 1852, when the City of St. Thomas was incorporated as the Municipality of the Village of St. Thomas, those tasked with its governance recognized that the safety and security of their citizens was vital to the development of their community. The first two Police Constables were appointed to "preserve the public tranquility" and, ever since, the expansion of the **St. Thomas Police Service (STPS)** has paralleled the growth and prosperity of the community it serves. Although the core functions of crime prevention, public order and law enforcement have remained consistent, there have been many changes in policing in St. Thomas since 1852. Equipment, communications, transportation, record management, salaries, budgets, and the way our services are provided to our citizens have all changed drastically.

PUTTING IT INTO POLICING FOR BETTER OR WORSE

One of the main factors affecting service delivery is information technology (IT). It is simply amazing how far technology has come and where it has taken policing. With the world now at our fingertips, technology has changed our lives and our workplace. In our police environment, which is that of a mid-size service representing 96 sworn and civilian, full- and part-time staff. New technology has influenced and altered every aspect of our organization and has significantly changed policing in our community, but is it for better or for worse?

Advantages and disadvantages of IT for the STPS

New technology has changed how we communicate. It allows us to quickly share information. It impacts how we train our staff and influences the engagement of our citizens as partners in crime reporting and prevention. It has created efficiencies. Through the IT revolution, technology has become an investigative tool, helping us solve and prevent criminal activity. In many ways, it enhances the way the STPS serves its community. However, there are also disadvantages. We are becoming dependent on technology to conduct our daily tasks. It may also jeopardize social skills, as we are now more inclined to send a text or a tweet to deliver our message instead of engaging in a face-to-face, personal conversation.

In addition, keeping up with the ever-changing technology will infinitely impact annual budgets of the STPS and other, and legislators will likely continue to struggle to ensure laws keep pace with the advances. It is certainly true to say that technology has immeasurably changed policing in the relatively small community of St. Thomas, Ontario.

Just 50 years ago things were so much different

Fifty years ago, a police officer hired by the St. Thomas Police Service was hired for his physical strength, stature and street smarts. As an aside, it is noteworthy that the Police 'Force', as then called, was known to hire Protestants, while the Fire Department hired Catholics; and, also in keeping with the era, women were not even considered for either profession! Basic education, however, was valued and necessary. Officers were expected to be able to pass examinations in reading, writing and arithmetic and needed these skills, especially if ever to be considered for promotion. Personality, however, was equally if not more important for an officer in the performance of his duties on the street.

In those days, Officers needed to be persuasive in a quiet, determined manner, street wise and able to carry on a conversation with people from any walk of life. In the days before police cruisers, a beat patrol officer's daily assignments afforded him the opportunity to walk the streets and back alleys, talk to citizens and develop relationships and important informants through personal contact. As a result, they enjoyed comradery with 'their' citizens. Such contact is known to increase public trust in police. New officers received virtually no formal training. The tools of the trade were handcuffs, a Billie club and a revolver. The daily assignment was to protect the security of people and property, maintain public order, enforce laws and prevent crime.

Introduction of the bicycle and the police cruiser

Eventually, the introduction of the bicycle and then the police cruiser as modes of transportation provided greater mobility for the patrol officer, who could then cover a greater area and respond to incidents more efficiently. Yet, the drawback was a narrowing of the opportunity for personal contact. As a result, policing became increasingly reactive. The calls for service didn't change necessarily... cruisers simply became a barrier to communication as the officers were no longer on the streets talking with people. It also greatly diminished the frequency of the beat patrol officer and in fact, an assignment as

a beat officer was actually seen as a punishment to many officers in the 80's and 90's - with many of the calls for service being in relation to disorderly conduct, drunken behaviour and destruction or theft of property. It may be ironic that police services throughout Canada have re-introduced the bike patrol. Bicycle patrols allow us to engage the public more.

All interactive communications were verbal

In the days before technology, without equipment like portable radios, information was communicated verbally and passed by word of mouth. Even communications between police supervisors and patrol officers were limited, so they developed simple yet creative ways to communicate. For example, if the window blind in the Sergeant's office was up, it indicated to the patrol officer that he was required to check in at Police headquarters. If the blind was down, he was expected to remain on patrol. Much has changed since those days.

Today, physical strength and stature are no longer criteria for hiring officers. Religion, gender, race, sexual orientation, and marital status are no longer considerations in hiring practices. Selection processes are inclusive and embrace diversity. Officers are well-educated with the majority graduates of college and/or university. Candidates are scrutinized through lengthy hiring processes that include aptitude, physical, and psychological testing as well as comprehensive background investigations including a range of searches of social media sites. Once hired, the training begins with an introductory orientation to the STPS organization and facilities.

TODAY'S POLICING

Today, the attainment of knowledge becomes a career-long quest that will assist an officer in making confident decisions and acting competently in the performance of his or her duties, allowing them to better serve our community. Formal training begins at the Ontario Police College where they learn the duties and expectations of the profession through a new Learning Management System. Their equipment includes not only handcuffs, an asp baton and a handgun, but also a laptop computer to facilitate access to the training materials. Through the use of modern technology, today's training model provides new recruits with a sound knowledge of the laws and procedures a front line officer is required to apply in the performance of their duties.

The core functions of policing remain the same

Regardless of the technological methods used, a trained front line officer continues to work in accordance with the core functions of policing, these being the prevention of crime, law enforcement, public order maintenance, emergency response and assistance to victims of crime. Throughout their careers, today's officers will not only have to qualify in their use of force options but also continuously learn from new training materials offered through a wide range of technology-based training opportunities, such as online training offered through the Canadian Police Knowledge Network (CPKN), video training available through our participation in the Ontario Police Video Training Alliance (OPTVA) and a host of available webinars. The diversity of today's training better equips our officers to meet the ever-changing needs and expectations of our citizens.

The St. Thomas Police Service today... community-based, collaborative, problem-solving and PROACTIVE

In order to more effectively meet the needs of our community, today's policing model has shifted away from the predominantly reactive, responsive type of policing to a community-based model of policing emphasizing a proactive, cooperative and collaborative approach where the police work in close partnerships with businesses and the general public. In the late 1990's, the Administration developed a customer service model in which the citizens of our community provided the direction for the delivery of police services. Community and internal surveys were conducted and a formal Business Plan was developed as a reflection of the services our citizens and staff indicated as important.

Public input and measuring of outcomes

The consultation of the public via the community survey was instrumental in monitoring public perceptions of the St. Thomas Police Service and played a significant role in decisions regarding the deployment of manpower and other resources. Today's Business plan continues to set priorities in six strategic directions – public safety enforcement, community problem solving, resource management, internal and external communication, technology and facilities. This living document is reviewed annually and rewritten every three years so to promote the establishment of alternative and innovative ways to provide cost-effective and efficient delivery of policing services. Objectives and performance indicators of each business plan ensure a means to effectively gauge the failures and successes of each plan.

Technology has played a significant role in the way we engage with our community and changed how we communicate both internally with staff and externally with citizens. Technological improvements in information communications and equipment afford more time for efforts to be concentrated on proactive policing initiatives. To a great degree, technology has replaced some of the personal, face-to-face contact that once existed with a new type of connectivity that is helping build modern partnerships between the police, business community and the general public.

30 years of innovative and effective communication tools for the STPS

Over the last 30 years, the St. Thomas Police Service has introduced several new ways to electronically connect with its citizens. In the late 1980's, PC Cops became the STPS's first computerized system allowing us to electronically contact citizens with programmed messages about on-going criminal activities in specified areas of the City and giving crime prevention tips to help citizens avoid being victimized. By the end of the 80's, our first Crime Stoppers program ushered in the next decade with a new alternative to anonymously report criminal activities. If an officer was not available, citizens could now leave important information and messages to assist police. In effect, Crime Stoppers created a whole new world of informants. Crime Stoppers continues to flourish today and is instrumental in solving many of our local crimes.

The STPS meets community information needs through social media

Modern technology now allows us to communicate with our community through social media. From the convenience of cell phones in the palm of their hands and no matter where they are, Chief Darryl Pinnell, Inspector Chris Herridge and Community Service officer, Constable Jeff DeLeeuw tweet frequent messages to dedicated followers on Twitter. Our website, www.stps.on.ca provides global access to up-to-date information about our Service and services. Facebook and other forms of social media have become important investigative tools for detectives and often provide current information that helps in the prevention and prosecution of criminal activity.

TECHNOLOGY LINKS THE STPS LOCALLY, NATIONALLY AND INTERNATIONALLY

Today's patrol vehicles are equipped with mobile data terminals, putting pertinent information at an officer's fingertips, creating efficiencies and enhancing officer safety. Officers can run licence plates and names, obtain photographs to confirm identity and access vital information to assist in their encounters and investigations without physically attending police headquarters to retrieve this information.

Locally, technology can enhance officer safety by providing them with information about high risk offenders prior to their encounters so officers will be aware of any increased potential for conflict. It also prevents the interception of radio transmissions that could tip off a criminal about an active investigation. SPARK allows communication staff and front line officers to privately communicate without information being intercepted from radio transmissions. CAD, the Computer Aided Dispatch system and the information available from all aspects of the provincial NICHE record management and information system, influence and affect how officers are dispatched on calls. Specific information will trigger an upgraded response to a call for service as a direct result of readily available information. In St. Thomas, our officers not only access NICHE to obtain pertinent information from the convenience of the mobile data terminals in their police vehicles, but also directly enter information into the system and complete investigations at the scene. Also at a provincial level, technology provides access to databases enabling police agencies to link incidents and track criminal activity far more effectively and efficiently than ever before through NICHE and other computer systems such as OPTIC – the Ontario Police Technology Cooperative, ViClas – the Violent Crime Linkage Analysis system, and the Provincial and National Sex Offender Registries.

Also at the national level, CPIC – the Canadian Police Information Centre – provides a central police database of information in relation to people and property such as missing people, stolen vehicles, criminal records and wanted persons and is maintained by the RCMP. Finally, through Interpol – the International Criminal Police Organization – the St. Thomas Police Service is connected to an encrypted, Internet-based worldwide communications network, thereby connecting our community to the events of the global community. In the last year, STPS has joined the more than 50 police services that now utilize Accident Support Services International Ltd.'s Collision Reporting and Occurrence Management System (CROMS) to analyze our collision data and plan proactive road safety programs.

FROM PARTY LINES AND ELECTRIC TYPEWRITERS TO CELL PHONES, PAGERS, COMPUTERS, AND THE INTERNET

Technology has completely changed the business office of our police service. From the days of the telex machines and party line telephone systems, we have advanced to an era where modern communication systems, cell phones, pagers, and computer systems allow us to communicate and connect like no other time in history and respond more efficiently and effectively to the needs of our community. Calls for service and the subsequent dispatching of officers to assist are performed instantaneously as information is entered electronically into the system.

The 'old' electric typewriters with carbon paper to create copies of the 1980's have been replaced by fax machines, photocopiers and computers. Even this equipment is quickly changing, with faxing and pagers becoming virtually obsolete with improvements to multi-functional scanner/copiers and cellular technology. Civilian staff, originally hired to enter hand-written officer's reports into the computer system and transcribe an officer's recorded reports or a witness's videotaped statements, are now cross trained to perform a wide variety of tasks, which include ensuring the quality of information entered into available fields on electronic reports - if the appropriate information has not been entered into the correct field, the details will not be retrievable.

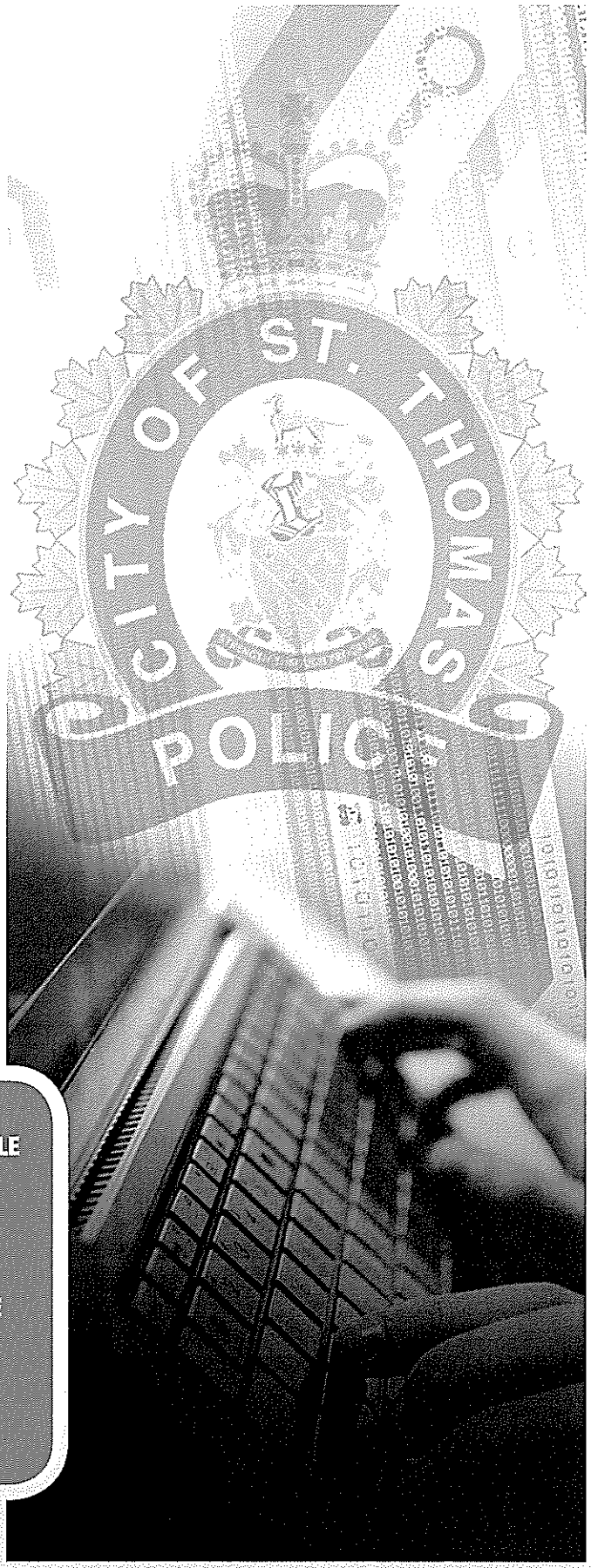
Clerks who once typed, compiled and photocopied multiple copies to provide disclosure to the Crown Attorney can now access all relevant information, scan it and electronically transfer the packages with the click or drag of a mouse. In the near future, officer entry of reports will be transformed by voice recognition technology that will eliminate the need to write or key information into a computer as the human voice will be electronically transformed into the written word and entered directly into the system.

Technology has even changed how we take fingerprints and mug shots. Criminal mug shots are now directly available to the officer on the street on their mobile data terminals. Gone are the days when ink and paper forms were required for fingerprinting. Today, the task is efficiently completed electronically for both criminal submissions and any member of the general public needing a record check for volunteering or employment. Civilian staff are now trained to take fingerprints electronically through LiveScan technology that also sends them directly to the RCMP database. Inked prints can also be digitized and transmitted to the RCMP. An enormous variety of statistical information and analytical reports is now readily available without hours of compilation and report writing.

CONCLUDING REMARKS

The greatest changes in policing, both within our organization and in policing in general, have taken place during our most recent history – the last 30 or so years. Of these, the most significant changes

have occurred as a direct result of changes in affordable technology. Technology has vastly influenced and altered every aspect of the St. Thomas Police Service organization and immeasurably altered policing in our community. It has transformed our Police Service from a predominantly reactive police agency to a proactive, community-based, intelligence-led Police Service. Yet there are challenges to be faced as a result of the rapidly changing technology, such as the ongoing costs of keeping up with new equipment and systems and the lag between new criminal activities in the cyber world and the implementation of effective laws and legislation giving police authority to perform their duties to continue to serve and protect their community in this new age of technology.••



RÉSUMÉ

TECHNOLOGY AND ST. THOMAS:
THE EXPERIENCE OF A MID-SIZE POLICE SERVICE IN ONTARIO

Par Lynn Coates, administratrice du Service de police de St. Thomas (STPS)

Mme Lynn Coates, administratrice du Service de police de St. Thomas, examine les répercussions de la technologie sur ce Service. Admirant les avancées de la technologie depuis 30 à 50 ans, Coates se penche sur son incidence sur les services de police, p. ex., de la ligne partagée aux communications en ligne sécurisées, de la patrouille à pied ou à bicyclette à l'auto-patrouille. Elle fait l'éloge des systèmes d'information et de gestion (TI) et des équipements qui permettent au STPS de se brancher à l'échelle locale, provinciale, nationale et internationale. Elle note que la technologie a changé la façon de communiquer des gens et que cela présente sûrement certains défis et certains avantages. Néanmoins, Coates vante les bienfaits des TI pour les services de police. Elle dit que les avancées dans les TI ont permis d'augmenter les contacts entre les policiers et les citoyens, ce qui se traduit par une augmentation de l'appui du public. Les changements technologiques ont aussi eu une incidence sur la profession de policier, dit Coates, en imposant des exigences en matière de formation approfondie et continue, mais, au bout du compte, les policiers sont mieux équipés. Ce qui n'a pas changé, insiste Coates, c'est la tâche quotidienne – assurer la sécurité des gens et des biens, maintenir l'ordre public, appliquer les lois et prévenir la criminalité.

PLEASE SEND ANY REMARKS, OR A COMMENTARY, REGARDING THIS ARTICLE

to *Justice Report* Editor, Nancy Wright:

ccjapubsacjp@gmail.com

and keep your eye out for the Notices/Feedback section in future issues!

VEUILLEZ ADRESSER TOUT COMMENTAIRE RELATIF À CET ARTICLE

à l'éditrice de l'*Actualité-Justice*, Nancy Wright :

ccjapubsacjp@gmail.com

Demeurez à l'affût de la section Avis/commentaires dans les numéros à venir.

CANADIAN POLICE KNOWLEDGE NETWORK: EVOLVING PERSPECTIVES OF TECHNOLOGY, COLLABORATION, AND LEARNING

BY SANDY SWEET, President of the Canadian Police Knowledge Network

The Canadian police community is using technology to write a new chapter on best practices in learning and education. Technology-enhanced learning is becoming an integral component of recruit and in-service curriculums in academies and services across the country. But far beyond simply using online technologies to deliver training, the community, through the Canadian Police Knowledge Network, is working together to advance learning and education across the sector.

A decade ago, technology-enhanced learning (TEL) was little more than an interesting concept in the Canadian police training community. In truth, in dealing with day-to-day operational demands, TEL wasn't even on the radar for the majority of the 200 plus police services across the country. However the sector was entering a new era of challenges. At the same time policing was becoming more complex, both on the criminal and social fronts, and budgets were shrinking. The ability to provide frontline officers with the ever-broadening scope of training needed to do the job safely and knowledgeably was becoming a very real issue. This emerging reality was the primary driver behind the creation of the Canadian Police Knowledge Network (CPKN).

CPKN: A UNIQUELY CANADIAN MODEL

CPKN is a community-based, not-for-profit initiative -- the invention of a working group of police training professionals, researchers, and academics that recognized the need for a more efficient, cost-effective approach to training frontline police. CPKN was created to enhance the use of TEL in policing and to increase knowledge-sharing among police services. At the time, given the highly conservative nature of the industry, it was a tremendously ambitious initiative. However, in the intervening years, CPKN has led a major shift from the traditional classroom-based, service-centred training approach to a more integrated and increasingly collaborative model.

In essence, CPKN provides the technical expertise and infrastructure to design, develop, and deliver police-specific online learning. In addition to working with the sector to identify and create training that can be used by frontline officers across the country, it has sharing agreements with police services and training academies across the country to produce and/or host training content that can be accessed by the sector at large. In doing so, CPKN has created an extensive catalogue of courseware encompassing everything from core modules, on such subjects as the CPIC database, first aid, and suspect apprehension pursuits, to knowledge-building pieces on mental health, community policing issues, and forensic science. On average, officers and civilian personnel from 150 police agencies across the country access learning from CPKN every year.

DEMONSTRATED BENEFITS

Over the past decade, there has been much evidence to support the value of TEL in policing learning. From an efficiency perspective, it has enabled large organizations to roll-out training in just a fraction of the time required by traditional models. Case in point, as part of a 2010 collision reduction strategy, the Ontario Provincial Police partnered with CPKN to create a mandatory online training piece on on-duty driver awareness.[1] In just four months, the OPP was able to achieve a 94% compliance rate among more than 6000 members throughout the province.[2] That training has since been used by thousands of police officers in provinces across Canada. Similarly, the British Columbia Ministry of Justice used a blended learning approach to fulfil mandatory training requirements that arose from the Braidwood Inquiry, specifically on crisis de-escalation and operation of conducted energy weapons. In that case, police officers across the province were able to learn the theory-based content online via CPKN before conducting practical, hands-on exercises and testing. This not only reduced the Province's timeline for meeting the training requirement but substantially reduced the challenges associated with scheduling lengthy classroom sessions for every officer in the province.

TEL has also generated significant savings for police services. In 2012 the RCMP reported that by using online delivery, it was able to deliver 43% of its formal training curriculum for just $1 million.[3] The Ottawa Police Service reported that it recovered $500,000 a year and was able to re-deploy associated resources to other areas by moving the province-mandated recertification training for Suspect Apprehension Pursuits to an online format.[4] When the Ontario Police College transitioned three core training programs (General Investigation Training, Advanced Patrol Training, and Coach Officer) to a blended approach, it reduced associated classroom hours by 42%. As a result of that new approach, police services throughout Ontario recovered the time and money that would have otherwise been spent on officers sitting in a classroom – London Police Service reported that it saved $200,000 in salary costs over three years.[5]

Beyond the time and money saved, TEL has vastly improved smaller or more remote or-

ganizations' access to subject matter expertise in a broad range of training areas and has provided more opportunities for learners to satisfy a growing appetite for professional development. Nationally, it has helped police services, regardless of size or regional jurisdiction, recognize that many training challenges are universal in nature and that a more collaborative approach to learning is not only practical but critical to the long-term sustainability of the sector.

ROOM TO GROW

Best estimates suggest that of the $12 billion spent annually on policing in Canada, $1 billion of police resources is consumed by training. That figure includes everything from the costs associated with instructors, training materials, and bricks and mortar space to the salary costs of officers during their time in training. It's also estimated that those training costs could be reduced by as much as 30% with greater integration of TEL.[6]

While CPKN has largely been focused on the promotion and the technical aspects of TEL within the policing community, it has also served as the hub for the broader dialogue on police learning, best practices, and sustainability. CPKN's National Advisory Committee, which includes police training professionals from across Canada, is central to those discussions.Through its working groups, this Committee actively engages the community to identify and pursue opportunities for collaboration. One of the Committee's leading initiatives is the development of a National Police Training Inventory, an online database that will allow police trainers to explore existing resources and engage with other trainers around the country. This will not only increase the sharing of knowledge and best practices across the sector but also reduce duplication of effort in the development of new training resources. The Committee also conducts on-going efforts to identify nationally-relevant content and to find effective ways to incorporate greater consistency, through strategies such as competency-based learning, into training curriculums. These types of initiatives are fundamental to advancing learning and education across the sector and effectively managing fiscal challenges associated with an increasingly complex policing landscape.

LOOKING AHEAD: TEL AS A TOOL FOR INTER-AGENCY COOPERATION

TEL will never replace classroom training in the police community – that face-to-face interaction is critical to imparting experience and hands-on learning. However, as outlined above, the Canadian policing community has clearly demonstrated the many other ways that TEL can support the needs of the sector. It also offers a very viable means to coordinate learning with other public agencies. There is growing recognition that in order to effectively respond to community needs, policing must work in concert with other agencies, such as justice, family, or mental health services. As that approach becomes more integrated, TEL is an ideal tool to support inter-agency knowledge, information, and procedures.

Technology offers vast opportunities to grow and evolve the way we think about learning. We are only now scratching the surface of that potential. For its part, as CPKN continues to enhance opportunities for collaboration, it is also focused on keeping pace with the technologies that support a collaborative learning environment and the needs of today's tech-savvy learner. Investments in new infrastructure, learning methodologies, and transmedia applications are both immediate and on-going organizational priorities that will ensure that CPKN is able to meet rapidly expanding demand for TEL in Canada's police community. ••

The Canadian Police Knowledge Network is Canada's leading provider of technology-enhanced learning for police and law enforcement. Established in 2004, CPKN is a not-for-profit organization and is governed by a voluntary Board of senior Canadian policing professionals.

For more information, please visit www.cpkn.ca.

CANADIAN POLICE KNOWLEDGE NETWORK / RÉSEAU CANADIEN DU SAVOIR POLICIER
A Decade of Enhanced Learning through Collaboration

RÉSUMÉ

CANADIAN POLICE KNOWLEDGE NETWORK: EVOLVING PERSPECTIVES OF TECHNOLOGY, COLLABORATION, AND LEARNING

Par M. Sandy Sweet, président du Réseau canadien du savoir policier

Dans cet article, M. Sandy Sweet discute de ce qui a conduit à la conception et à la mise sur pied du Réseau canadien du savoir policier (RCDSP) et expose de façon détaillée son mode de fonctionnement. Considérant que le contenu de la formation donnée aux policiers de première ligne pour qu'ils puissent effectuer leur travail en toute sécurité et de manière compétente est de plus en plus étendu, Sweet explique comment et pourquoi la communauté policière canadienne utilise la technologie pour écrire un nouveau chapitre sur les pratiques exemplaires en matière d'apprentissage et de formation. Soulignant aussi que le RCDSP a été créé pour accroître l'utilisation de l'AAT par les services de police et pour renforcer l'échange de connaissances entre les organismes, Sweet rapporte que cela a entraîné un abandon marqué des approches traditionnelles de formation en salle de classe axées sur le service. De plus, la mise au point d'un Inventaire national de formation – une base de données en ligne qui permettra aux formateurs du milieu policier de consulter les ressources existantes et de collaborer avec des formateurs de partout au pays – permettra de multiplier les échanges de connaissances et de pratiques exemplaires dans tout le domaine et réduira les dédoublements lors de l'élaboration de nouveaux outils de formation, dit Sweet. Par ailleurs, il note que la prestation en ligne de certaines composantes de la formation policière a beaucoup amélioré l'accès des plus petits organismes et des organismes éloignés à des compétences spécialisées dans plusieurs domaines de formation, tout en générant des économies importantes pour les services de police. *Le Réseau canadien du savoir policier est le principal fournisseur d'outils d'apprentissage amélioré par la technologie pour les policiers et les responsables de l'application de la loi. Créé en 2004, le RCDSP est un organisme à but non lucratif dirigé par un conseil d'administration bénévole, composé de professionnels de haut niveau du milieu policier canadien. Pour plus de renseignements, veuillez consulter le site www.cpkn.ca.*

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[2] Canadian Police Knowledge Network (2011). *Halton Regional Role Out ROIC Training*. Retrieved from http://www.cpkn.ca/node/536

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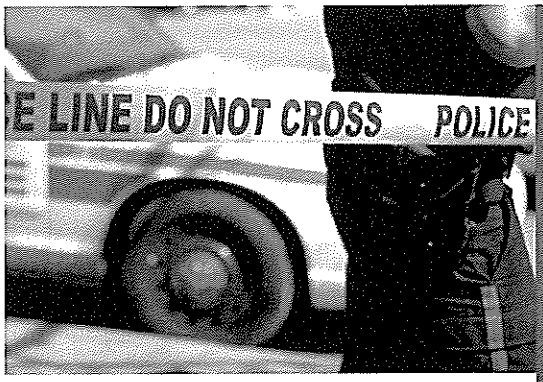

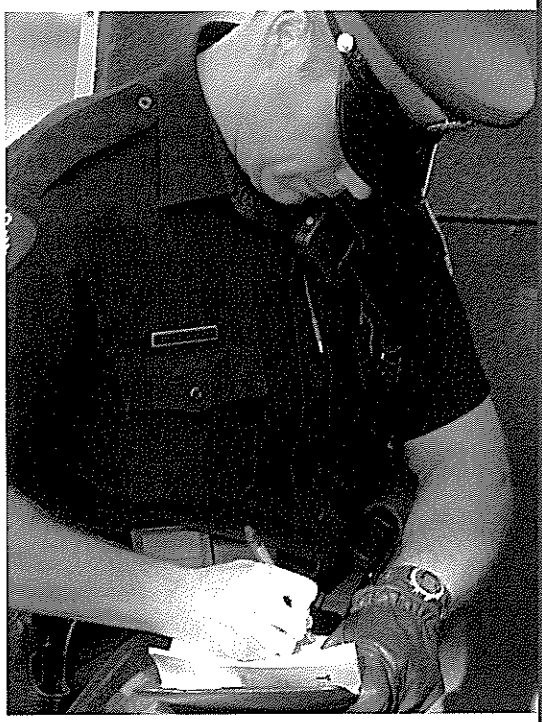

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SPRING // PRINTEMPS 2015
Various Topics // Sujets divers
— March 3 Mars 2015

SUMMER // ÉTÉ 2015
Aboriginal Issues // Questions autochtones
— June 30 juin 2015

Félicitations ANDRÉ NORMANDEAU
(rédacteur chargé des recensions en français de notre revue, la *Revue canadienne de criminologie et de justice pénale*)

Article de *La Presse*, le 14 novembre 2014 / Bilan du directeur du Service, Marc Parent, sur les événements de vandalisme à l'Hôtel de ville de Montréal, impliquant quelques policiers de Montréal et où l'on mentionne entre autres la nomination du criminologue André Normandeau au Comité consultatif civil du Service de police de Montréal en matière de déontologie policière.••

Congratulations, ANDRÉ NORMANDEAU
(French Book Review Editor of our journal, the *Canadian Journal of Criminology and Criminal Justice*).

Article published in *La Presse* on November 14, 2014 – The Director of the City of Montréal's Police Department, Marc Parent, reviews the events that involved some of the City's police officers and led to vandalism at Montréal's city hall. The article mentions, among other things, the nomination of Criminologist André Normandeau to the *Comité civil du Service de police de Montréal en matière de déontologie policière.* ••

Honorary LLD Awarded - Congratulations KIM PATE

The CCJA wishes to congratulate Kim Pate, a recipient of an honorary LLD (*honoris causa*) by the Law Society of Upper Canada, at the Call to the Bar ceremony held in Toronto in September, 2014. Each year, the Law Society recognizes outstanding achievement by distinguished members of the profession and the public by awarding Doctor of Laws degrees, *honoris causa* (LLD) at the call to the bar ceremonies in Ottawa, Toronto and London.

Ms. Pate is Executive Director of the Ottawa-based Canadian Association of Elizabeth Fry Societies, an organization dedicated to providing support and advocacy for women and girls who are or have been incarcerated. ••

LLD honorifique décerné à Kim Pate - Félicitations KIM PATE

L'ACJP tient à féliciter Kim Pate, à qui le Barreau du Haut-Canada a décerné un LLD honorifique (*honoris causa*), lors de la cérémonie d'assermentation qui s'est tenue à Toronto en septembre 2014. Chaque année, le Barreau reconnaît les réalisations exceptionnelles de distingués membres de la profession en décernant un doctorat en droit *honoris causa* (LLD) lors des cérémonies d'assermentation à Ottawa, à Toronto et à London.

Mme Pate est directrice générale de l'**Association canadienne des Sociétés Elizabeth Fry** établie à Ottawa, un organisme voué au soutien et à la défense des droits des femmes

CHALLENGES FOR CRIMINAL LAW AND INTERNATIONAL CRIMINAL LAW IN CYBERSPACE

BY DR. SVETLANA PARAMONOVA, LL.M., Senior Researcher at the Max Planck Institute for Foreign and International Criminal Law, Freiburg i.Br, Germany Knowledge Network

WHY IS THE TOPIC OF CRIMINAL LAW SO RELEVANT IN THE CONTEXT OF CYBERSPACE AND WHO IS AFFECTED?

Where cyberspace and cyber-attacks use to exist in the realm of science fiction, today cyber-attacks are very real with very real and potentially harmful real-world impact. Yet, cyberspace also offers advantages such as speed, flexibility, boundlessness, and internationality. Many countries vital infrastructures, for example, are primarily controlled by online tools that can be compromised. The more global networks grow and related technologies develop, the more vulnerable society becomes to threats from the World Wide Web. Cyber-attacks can be a potential problem to free enterprise and the security of nations because conventional territorial approaches to combatting cybercrime are too limited.

With regard to protection on the international level, there are a number of regional Conventions on cybercrime matters, e.g., Arab Convention on Combating Information Technology Offences, 2010.[1] However, to date, there is no Cybercrime Convention at the UN level. Among regional international agreements, the Convention on Cybercrime of the Council of Europe (i.e., Budapest Convention) 2001 is worth mentioning. This Convention is open for signature from non-members of the Council of Europe. It has, for example, already been signed by Canada, Japan and South Africa as well as ratified by the United States.[2] Although the Convention refers to the main computer crimes, it does not include provisions addressing jurisdictional questions. Nevertheless, the Convention has played a significant role in the advancement of cyber law among those states who have ratified the Convention.

According to several recent studies, cyber-attacks (e.g., denial-of-service attacks or so-called DOS-attacks, computer viruses) cost big business an average of approximately 8.5 million euro per year,[3] but the actual number is estimated to be much higher because most companies are reluctant to report cyber-attacks due to the fear of loss of reputation and client trust.

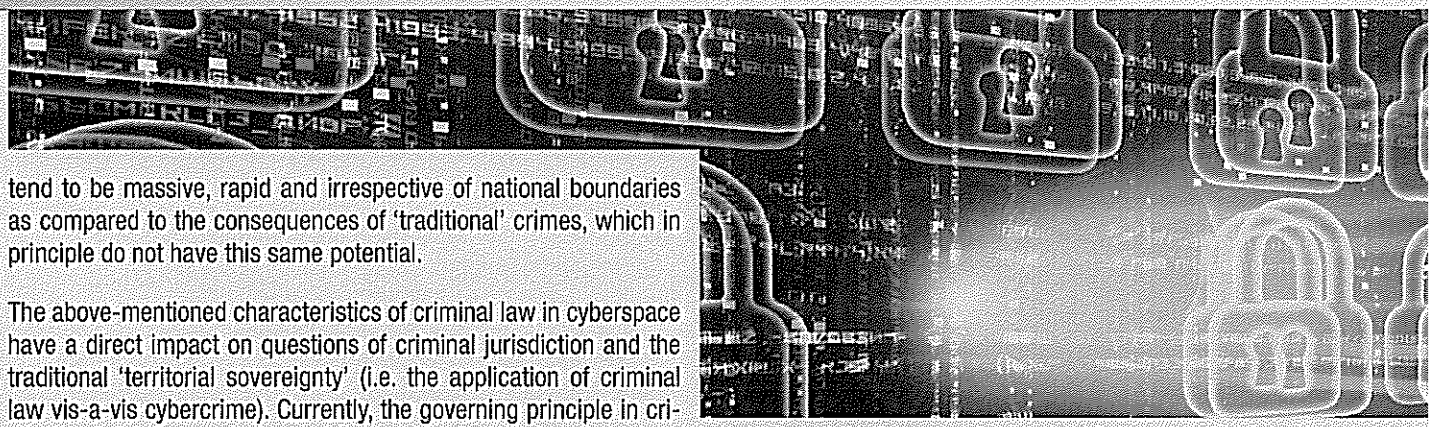
For individuals, cybercrime is connected with feelings of vulnerability. The primary reason for this is the anonymity and decentralized nature of the Internet, or 'cyberspace'. According to the international study "The Human Impact",[4] 97% of respondents expect to be a victim of cybercrime and 65% of the participants of the study have already been a victim of a cybercrime attack.

Cyber-attacks on the Internet are primarily directed against the availability, integrity or confidentiality of information. These crimes are committed with the help of malicious software or through unauthorized access to computers, manually or over the network. Previously unknown forms of cyber threats are constantly appearing. Any day/hour/second a new computer virus or a new fraud, or espionage method, could be developed and set in motion. No one can be completely safe from cyber threats (e.g., the recent attacks on the Supreme Court, and the Ontario's police chief's website, etc.) or sufficiently prepared for new manifestations, however, companies and individuals can achieve sufficient protection (e.g., secure transmission of sensitive data) from the risks of cybercrime using various available options.

SPECIAL FEATURES OF CRIMINAL LAW AND INTERNATIONAL LAW IN THE CYBERSPACE CONTEXT

The special features and challenges of cyberspace to criminal law and international criminal law (see below) are mainly determined by the peculiarities and characteristics of cyberspace itself. From the perspective of substantive criminal law and criminal jurisdiction, the phenomenon of cyberspace introduces a new quality of criminal behaviour, such as that one can now speak of a new kind or type of criminal behaviour. This behaviour is profoundly shaped by the anonymity of cyberspace, its trans-boundary nature (boundlessness), and the speed of electronic communications.

This new quality and type of criminal behaviour is clearly expressed in the consequences of cybercrime, which can occur quickly and anywhere, causing immediate damage. Among other, the various forms of cybercrime include the dissemination of illegal content over the Internet, the damaging of computer systems, data-protection offenses, interception/alteration of data, etc. The spreading of computer viruses is another global concern. For example, the widely used "chain letter technique" allows a computer virus to be spread internationally like an avalanche in a very short time. Various types of illegal information or data can also be exchanged among criminals around the globe. The consequences of cybercrime thus



tend to be massive, rapid and irrespective of national boundaries as compared to the consequences of 'traditional' crimes, which in principle do not have this same potential.

The above-mentioned characteristics of criminal law in cyberspace have a direct impact on questions of criminal jurisdiction and the traditional 'territorial sovereignty' (i.e. the application of criminal law vis-a-vis cybercrime). Currently, the governing principle in criminal jurisdiction matters involving cyberspace is (violation of) territoriality principle. However, the leading role in jurisdictional matters in the context of cyberspace should be given to **extraterritorial expansion of criminal law** rather than territorial approaches.

In the case of 'traditional' crimes, it is generally assumed that the harmful consequences occur on the same territory where an offense is committed. However, in the context of cyberspace, the rule is often that a criminal act is committed in one country, while the harmful consequences normally occur not only in the *locus delicti* but also abroad, in the *locus damni* (the place where criminal impact takes place). Thereby, the decisive role in the application of law vis-à-vis cyber-offenses must be given to the **protection principle** (*nexus effect*).

While cyber-offenses give the illusion of a trans-boundary and international nature, they actually always have a concrete territorial link, just like 'traditional' crimes, since a criminal act is always actually committed on a specific territory. However, in terms of criminal consequences it is usual to expect the legal interests not of one country but of several to be affected by a cybercrime. Therefore, in the cyberspace context, situations in which the legal interests of several countries are affected by a criminal act become the rule rather than the exception (see below).

SCHEMA: RULE VS. EXCEPTION[5]	*Rule*	*Exception*
TRADITIONAL CRIME **(territoriality principle /geography** decisive)		
CYBERCRIME **(protection principle, harmful effects /extraterritoriality** decisive)	LC	LE

LC - locus of commission of the offense

LE – locus of harmful effects – overlapping area of the locus of commission of the offense and locus of harmful effects

In terms of cybercrime, there is often no infringement of the legally protected interests in the *locus delicti*. For example, when someone commits a criminal act, that is criminalized in both Germany and Russia, using a computer located in Germany (*locus delicti*), but the criminal consequences unfold only in Russia. This could be intentional on the part of the criminal in an effort to evade prosecution. As a result, it is unlikely the committed offense will be prosecuted in the *locus delicti* since the harmful impact occurred outside its territory. Hence, within the cyberspace context, the extraterritorial approach supports a protection principle.

However, in the area of criminal jurisdiction – as comparative legal analysis shows – national legal systems tend to continue to justify the application of national criminal law in cyberspace under the authority of territoriality principle. Its place in the hierarchy of the legitimating principles is unquestioned and recognized by international law.

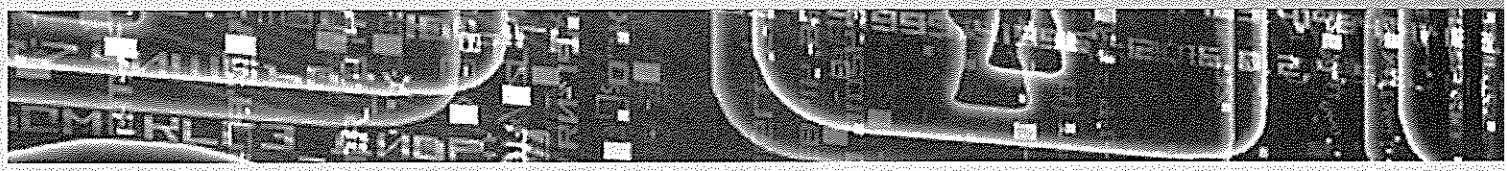
MULTIPLE DEFINITIONS OF TERRITORIALITY CAUSE PROBLEMS

The problem is that territoriality principle is defined differently in the different national legislations. Broad definitions encompass 'locus of commission of the offense' as well as 'locus of harmful effects'. However, for national legal systems recognizing a narrow concept of the territoriality principle, 'locus of harmful effects' would not be considered a legitimate part of territoriality principle, but part of protection principle (e.g., Russia, Article 11 Criminal Code of the Russian Federation). Currently, the protection principle is on the lower level in the hierarchy of the legitimating principles (e.g., Article 22, Convention on Cybercrime).

In the context of cyberspace, however, 'locus of commission of the offense' and 'locus of harmful effects' cannot be regarded as equal elements of territoriality principle. 'Locus of commission of the offense' is regarded as a major element of the territoriality principle with regard to traditional crimes, although loses its relevance with cybercrime (see *Rule vs. Exception* schema). It becomes irrelevant in many cybercrime cases and therefore cannot possess the same legitimating power as 'locus of harmful effects' – protection principle – with which territoriality principle de *facto* justifies the "privileged" application of national criminal law in cyberspace. This means territoriality principle (the leading principle) has to be redefined as regards cyberspace and named by its name - protection principle.

WHAT IS CYBERSPACE'S GREATEST CHALLENGE TO CRIMINAL LAW AND INTERNATIONAL CRIMINAL LAW?

The major challenge to both criminal law and international criminal law in cyberspace is the **paradigm shift** from territoriality as the legitimating principle for application of national criminal law in cyberspace, to the concept of extraterritoriality based on the protec-



tion principle ahead of the legitimating principles (i.e., established rules, principles, or standards) - see Schema *Rule vs. Exception*. The logic is quite simple: Just as one cannot build a brick house out of paper, one cannot effectively fight cybercrime with legal norms and principles (whose rules are applicable to traditional crimes) that do not conform to the trends and enhanced social relations of the cyberspace era. The most important role of law is to be a **capable**, **compatible**, and **functioning regulator** of social relations. Currently, the failure to fulfil this key role of (criminal) law is unfortunately evident in many respects, especially in the cyberspace context.

CYBERSPACE 'DETERRITORIALIZES LAW' - A HARMONIZED INTERNATIONAL APPROACH TO CYBERCRIME IS KEY

Today, despite the knowledge that cybercrime must be tackled as a transnational phenomenon, essential questions of criminalization and the application of criminal law (jurisdictional issues) are still largely nationally regulated. A comparative legal analysis with an integrated case study (mentioned above) has shown that the independent national initiatives by which national provisions for criminal jurisdiction in cyberspace are adopted are unable to plausibly and effectively address the problem of "universal competence" that every country potentially faces in the context of cyberspace.

Since cyberspace "**deterritorializes law**" through the fact that its harmful consequences can occur anywhere irrespective of the place of commission of the offense (*locus delicti*) and irrespective of all geographical boundaries, national approaches seem destined to failure. National legal provisions alone are not capable of fulfilling the duty of law as a functioning regulator of modern social relations in creating a plausible protection against cybercrime. A single nation is not able to assess the full extent of damages and thus cannot form judgment. The only viable solution is a harmonized international approach, which should take the following into consideration:

1. The primary challenge for criminal law (especially in the area of jurisdictional matters) lies in rethinking the hierarchy of the principles of the application of (criminal) law, in which an extraterritoriality (based on the protection principle) is given priority instead of retaining territoriality as the leading principle.

2. In terms of **substantive criminal law**, urgent harmonization of forms of criminal behaviour in cyberspace at a multinational level is absolutely necessary. However, regional approaches cannot offer plausible solution to international phenomena that involves most regions of the world. So far, there is no Cybercrime Convention at the UN level.

3. Finally, the establishment of an International Criminal Judicial Institution for Cybercrime (International Cybercrime Court, ICCC), or extension of the competencies of the International Criminal Court, would be required for prosecution and (or) solving jurisdictional matters with regard to cyber-attacks having grave consequences on basic infrastructures such as water, electricity supply, dissemination of information for building weapons of mass destruction, cyber-attacks on vital databases of various types (e.g., medical databases) that are controlled by information and communication technologies.

Due to the dependence of the modern information society on new technologies and to the enormous criminal potential emerging with the digitalization of essential infrastructures, such measures will be inevitable in the near future. ••

NOTES

[1] *Arab Convention on Combating Information Technology Offences*. 21.12.2010: http://itlaw.wikia.com/wiki/Arab_Convention_on_Combating_Information_Technology_Offences.

[2] Not all European countries have ratified the Budapest Convention.

[3] Studie von Ponemon Institut. Cost of Cyber Crime. 2013.

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RÉSUMÉ

CHALLENGES FOR CRIMINAL LAW AND INTERNATIONAL CRIMINAL LAW IN CYBERSPACE

Par Mme Svetlana Paramonova, LL. D., LL. M., chercheuse principale au Max Planck Institute for Foreign and International Criminal Law, à Freiburg i.Br., en Allemagne

Mme Paramonova parle des dangers et des risques de la cybercriminalité pour les infrastructures essentielles principalement contrôlées par des outils en ligne qui peuvent être compromis. L'auteure dit que plus les réseaux mondiaux se développent et plus les technologies qui y sont associées continuent de progresser, plus la société est vulnérable aux menaces du Web qui représentent un risque pour la libre entreprise et la sécurité des nations. Mme Paramonova souligne que la cybercriminalité « déterritorialise les lois » parce que les cybercrimes sont commis à distance, au-delà des frontières, et ont des conséquences dans des pays autres que celui où l'acte criminel est perpétré. De plus, l'auteure affirme que les approches territoriales conventionnelles ne sont pas efficaces contre ce phénomène transnational à cause des enjeux liés à la réglementation nationale. En ce qui a trait à la protection à l'échelle internationale, Mme Paramonova mentionne certains accords régionaux sur la cybercriminalité, mais elle demande que les Nations Unies adoptent une Convention sur la cybercriminalité et qu'on mette sur pied un tribunal pénal international pour les poursuites ou le règlement des questions de juridiction lorsqu'il s'agit de cyberattaques qui ont de graves conséquences sur les infrastructures de base comme l'approvisionnement en eau ou en électricité, les systèmes de contrôle de la circulation, les divers types de bases de données indispensables, et la diffusion d'information sur la fabrication d'armes de destruction massive.

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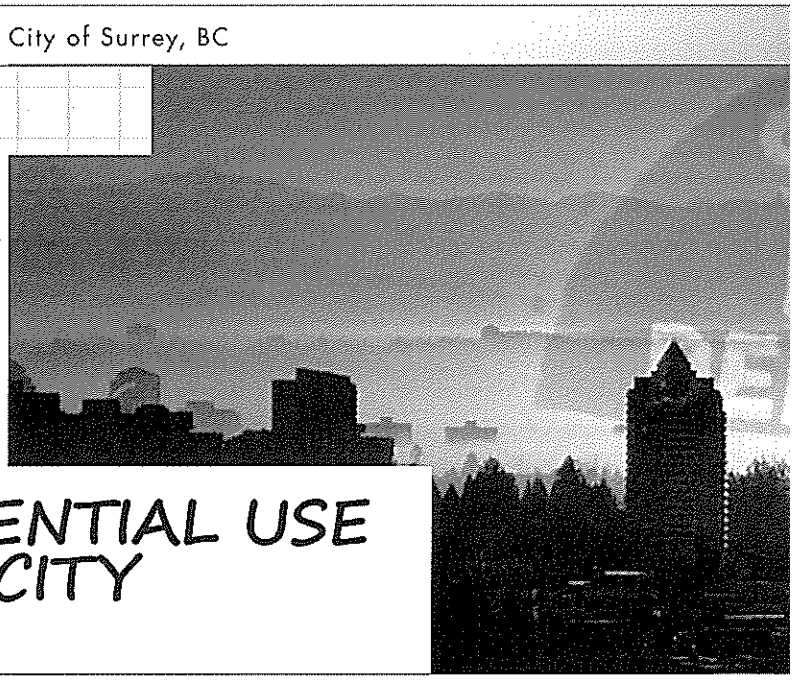

E-POLICING: EXPLORING THE POTENTIAL USE BY CITIZENS OF THE CITY OF SURREY, BC

BY MUKESH CHAND, Bachelor of Technology
(Forensic Investigation, Crime and Intelligence Analysis Option with Distinction), British Columbia Institute of Technology (BCIT).

Combining parts of the theoretical and survey components of his BA graduation research project, Mr. Mukesh Chand here offers insight into some of the potential benefits of E-Policing and its potential for acceptance and future use by citizens of the City of Surrey, BC.

Policing is a segment of public safety aimed at controlling and preventing crime and takes many forms, such as maintaining peace or public order, upholding the rule of law or enforcing laws, investigating crime, conducting surveillance, gathering information and assisting the public as required. Community policing is a proactive approach to policing that focuses a lot on prevention. The help of citizens and entire communities is needed in order for police organizations and operations to function properly, because contact with citizens keeps police in the know about issues and situations that could give rise to crime. In this way, community policing is dependent on communication and interaction between the police and the citizens of the community they have sworn to protect. For centuries, the local police were traditionally there to serve, protect and improve the community; and doing so required them to engage effectively with citizens to guide, help and assist to ensure public safety, security and maintain peace in the community. As time passed, however, and communities evolved, geographical boundaries changed, people began relocating for various reasons, technological advances were made; and, as a result, the whole of the demographics changed.

TECHNOLOGY INITIALLY CREATED A DISCONNECT BETWEEN POLICE AND CITIZENS

Technology initially created a disconnect between police and citizens. Post-World War II technology combined with the changing demographics to actually reduce interactions between police and citizens of the community—with officers patrolling the community by automobile rather than on foot as well as the use of radio dispatching, and a later trend toward rapid response techniques.This latter was less about community involvement than getting police to the crime scene in recor time and, given the disengagement from the community, police became less effective. No longer conducting community patrols, police did not get to know the neighborhood residents they were serving. By not walking beats, police did not get to know the neighbourhood residents they were serving (Wortely et al). In this way, technology initially reduced interactions between police and community, making it difficult for police to fulfil their role in keeping social order, as this involves other activities as well, including the monitoring of deviant actions not explicitly illegal, surveillance and crowd control (Canadian Encyclopedia). This may have played a role in the fact that by the 1960's, as noted by "Eggers and O'Leary (1995) [...] the public surrendered its role in controlling crime and increasingly relied upon the police to do the job. The changing nature and elevated level of crime seen throughout Western nations in the 1970s, 1980s, and into the early 1990s caused police to seek more effective methods to curb disorder and control crime" (Ontario Ministry of Children and Youth Services).

ADVANCEMENTS AND DEPLOYMENT OF INFORMATION TECHNOLOGY SOLUTIONS POTENTIAL FOR IMPROVED COMMUNITY INVOLVEMENT WITH POLICE IN THE CITY OF SURREY, BC

The evolution of information technology (IT) in today's society has been increasing rapidly in the past couple of decades. People throughout Canada are using the Internet for personal and business communications, and a range of daily activities such as banking, social networking, etc., and the citizens of the City of Surrey are no different. Citizens of the City of Surrey, however, are also using the Internet to access different sources of information about crime and public safety in their communities. This use is termed E-Policing and is a relatively new and innovative model for accessing these kinds

of information. For the citizens of the City of Surrey, this means there are new ways of communicating and accessing information, but do they trust it and would they use it if it were made available, and what exactly would be the benefits of expanded E-Policing? "An important consideration is how shifting conceptions of community, emerging technologies, and evolving public expectations influence when and how communities wish to be engaged in policing and the support of local agencies and operations." (Schafer, 2011). **E-Policing** is defined as the transaction of services and information between the police and citizens via the Internet. (RCMP 2007).

THE CITY OF SURREY, THE RCMP, AND E-POLICING

The upkeep of law and order or policing in the City of Surrey is conducted by the Royal Canadian Mounted Police (RCMP). In the City of Surrey there are five RCMP districts – Whalley/City Centre, Guildford/ Fleetwood, Newton, Cloverdale / Port Kells and South Surrey. Presently, Surrey society is advancing technologically, and the police organization involved must also evolve. E-Policing offers police organizations a new and secure mode of doing information exchange.

THE SURVEY: DETERMINING POTENTIAL USE BY CITIZENS OF THIS COMMUNICATION PHENOMENON

There are various survey tools, many are freely available on the Internet and used by researchers to explore any question. The survey used in this research study underlying this article included a questionnaire designed to examine *the propensity to use E-Policing if made available to the citizens who live, work, go to school or conduct business in the City of Surrey (BC) Canada.* The survey was uploaded and made available online using Survey Monkey, which offers up to 25 question types including rating scales and multiple choice. It's easy to create online surveys from scratch (www.surveymonkey.com), and a total of 76 responses were received and analyzed.

The survey fed a research study focusing on the citizens of the different RCMP districts of the City of Surrey and how they use the E-Policing information in regards to crime and public safety in their respective communities. The survey assessed the potential use of E-Policing vis-a-vis levels of trust, a greater propensity to change after receiving information from police, within a framework of the following independent variables:

Demographics:
Gender, age, ethnicity, knowledge of language, employment status and location of home.

Perceived Usefulness:
Relevant police website /portal, police website output quality, police website interactability, useful tool for reporting crime.

Perceived Ease of Use:
Easy to use, ability to use, computer anxiety, flexible to interact, social influence, easy to be skillful.

On completion of the survey, the data was compiled, collated and an analysis completed to test the hypothesis.

WOULD THE CITY OF SURREY'S CITIZENS USE THE INTERNET TO ACCESS POLICE-RELATED INFORMATION?

The first hypothesis to prove was whether the Citizens of the City of Surrey use the Internet to access information. The results indicated a very high percentage of citizens access the Internet very frequently for information. This also indicates that the use of the Internet as an information source is a growing trend. Secondly, this research also tried to determine which source of information Surrey citizens trust the most: on the scale, 1 is least trusted and 5 is most trusted. The results indicate that as long the source of information is from the police, it is equally trusted regardless of the communication method. The Surrey RCMP or police website ranked equally for being most trusted at level 5. Finally, the results for the questions on the citizens' behavioural change after involvement with police. The citizens of the City of Surrey take advice from the police seriously, with 88.24% saying yes to crime prevention.

A REOPENING OF THE LINES OF COMMUNICATION

One of the possibilities offered by E-Policing is a re-opening of the lines of communication between citizens and police. The lines of communication may be electronic, but as my survey shows, people are increasingly comfortable using such

communications to retrieve and deliver information and take advice despite the lack of 'real' face-to-face. If indeed this renewed connectivity bridges the perceived disconnect caused initially by technology, e.g. the automobile, etc., it may evidence a potential shift to a renewed, technological, and more sustainable model of policing.

CITIZENS OF THE CITY OF SURVEY WOULD SUPPORT E-POLICING ACCORDING TO SURVEY

This research project demonstrates the importance of technological advancement within policing in the City of Surrey, to allow its police to keep up with the times and stay connected with its citizens and vice versa.

The majority of residents use Internet to one degree or another, with 86 % of those surveyed using it widely. The vast majority of survey participants want the technology supporting E-Policing as a tool in reporting crime and are willing to rely on police/RCMP websites to get advice. The majority of citizens polled recommend that the police agency responsible should offer Internet as a tool for reporting crime.

The survey results also showed a number of participants were excited to see this tool as a progressive idea and look forward to the future when further research can be done. Some concerns were raised about the types of crimes this tool could be useful for reporting, which should be low profile, and about the authenticity and accuracy of electronic reports, software malfunctions or malware, and hacking - to name a few. The survey used also indicated that sensitivity campaigns informing communities of the relative safety of online solutions may be helpful to instill more confidence in the use of the Internet and E-Policing.

Finally, the responses on this survey study depict that the citizens would be in favour of connecting via Internet with police. This may help bring us full circle - from the moment of disconnect, when police started using the automobile and other technology and contact and familiarity with citizens was lost - into a 'reconnection' phase by which police agencies become more accessible to citizens. Based on the evolving society and technology, the policing agency in the City of Surrey must be proactive to better serve and protect their citizens, otherwise they could be left struggling in this superfast progressing technology.

RECOMMENDATIONS FOR FURTHER RESEARCH

Based on this initial survey, it is recommended that a more representative sample of the population be obtained, as this present survey may be biased by the fact that the majority of respondents were known to me and most also directly or indirectly related to policing or law enforcement. Another option would be for the data to be obtained by a third party research company where a more representative sample could be obtained in terms of demographics. Also, a more robust study that includes consulting stake holders, community service providers and the general public would also be worthwhile. Taking a look at the baby-boomer generation to see if they are able to cope with the changing model to E-Policing, would make another interesting focus.••

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RÉSUMÉ

E-POLICING: EXPLORING THE POTENTIAL USE BY CITIZENS OF THE CITY OF SURREY, BC

Par Mukesh Chand, bachelier en technologie – Option enquête judiciaire, criminalité et analyse du renseignement, avec distinction – British Columbia Institute of Technology (BCIT)

Dans cet article, M. Mukesh Chand associe certaines composantes des volets théorie et sondage de son projet de recherche de fin d'études et présente son point de vue sur quelques-uns des avantages possibles de la police en ligne et sur la probabilité que les citoyens de la ville de Surrey, en Colombie-Britannique, y adhèrent et l'utilisent éventuellement. Il dirige les lecteurs vers ce mode de communication « électronique » au moyen de la définition de « police en ligne » de la GRC : « La police en ligne consiste en l'échange de services et d'informations entre la police et les citoyens par le biais d'Internet » (GRC 2007). Détail intéressant, Chand ramène la notion de « technologie et services de police » à l'introduction, après la Seconde Guerre mondiale, de dispositifs de répartition dans les automobiles. Il souligne qu'avec le temps ces dispositifs ont transformé l'image des services de police en éliminant les patrouilles à pied et ont creusé un fossé en donnant un élan au virage vers la décentralisation, qui a suivi. Par conséquent, Chand affirme que les communications citoyens-policiers sont essentielles pour tenir les policiers « informés » et sont un facteur clé du succès du retour aux modèles de services de police proactifs, axés sur la prévention et centralisés. Les résultats du sondage de Chand, lequel est basé sur une version légèrement modifiée du modèle d'acceptation de la technologie, indiquent que les citoyens de la ville de Surrey feraient confiance à cet outil de communication électronique et l'utiliseraient, s'il était disponible. À la fin de l'article, Chand formule des recommandations pour les futurs travaux de recherche.

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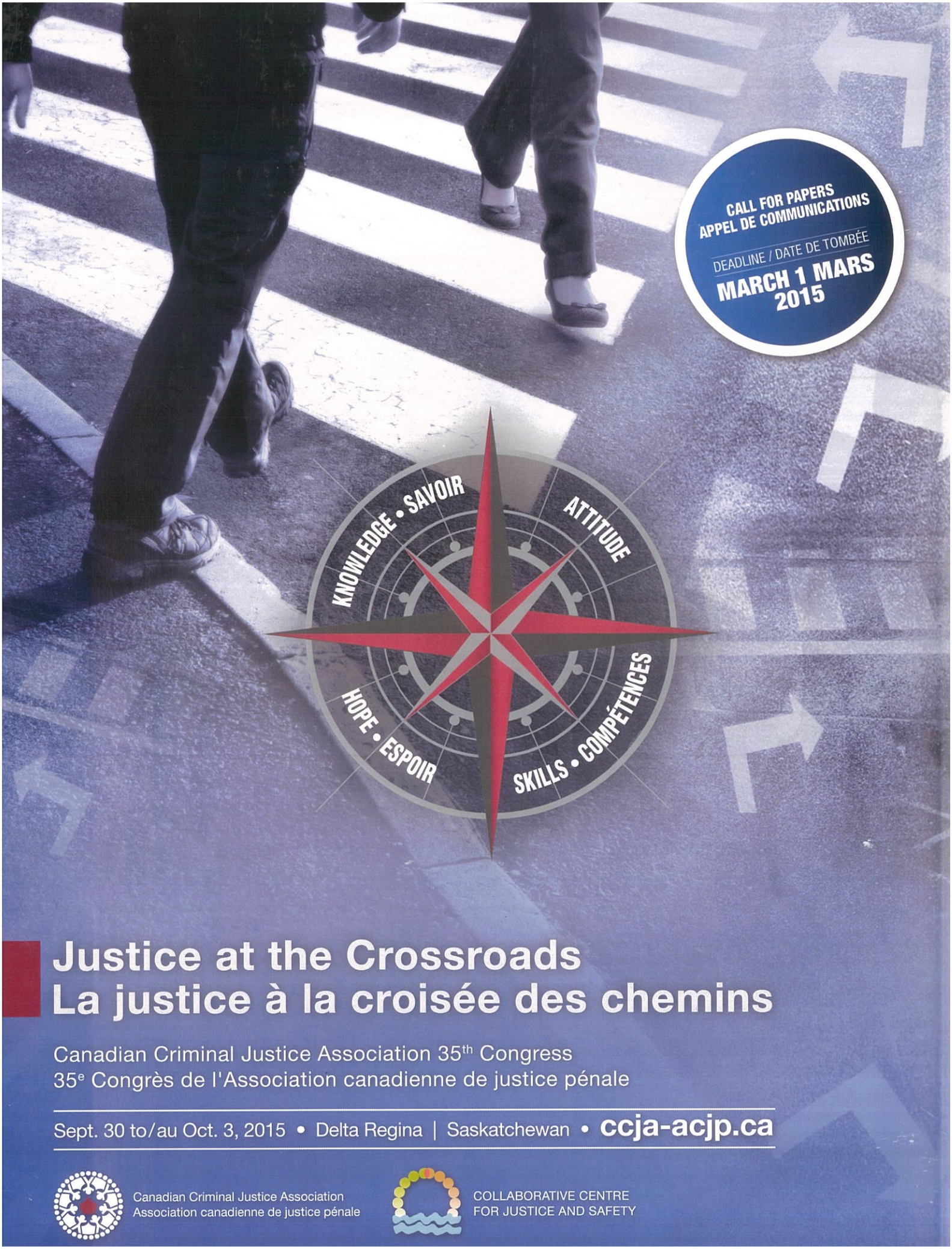

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